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ABSTRACT

This document addresses violence as one of the key challenges facing the democratic and pluralistic republic under the framework of the Constitution and its Bill of Rights. Primary focus is on criminal violence and the factors and behaviors that contribute to violent crime. The text is organized into three chapters: (1) "The Problem of Violence"; (2) "Law and Public Policy"; and (3) "Taking Action Against Violence." Chapter 1 examines the history, costs, and causes of crime. Chapter 2 explores the constitutional context of the political debate over violence and the question of how government works to stem the tide of violence without compromising the individual rights of U.S. citizens. Students are invited to engage in major policy discussions about gun control and youth curfews. Chapter 3 presents a survey of what citizens around the country are doing to protect themselves from violence and to make their communities and schools safer places. A teacher's guide designed to provide instructional support is included. (MM)

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THE CHALLENGE OF

VIOLENCE

Marshall Croddy
Charles Degelman
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The *Challenge of Violence* is the first volume in the W.M. Keck Foundation Series, a series of educational publications that will address key challenges facing our democratic and pluralistic republic under the framework of the Constitution and its Bill of Rights.

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INTRODUCTION

For over 200 years, the Constitution and the Bill of Rights have guided America. The Constitution defined a federal form of government that has served us well. The Bill of Rights limited the powers of that government and endowed Americans with an unprecedented level of personal and political freedom.

Over the past two centuries, our constitutional republic has faced many challenges, those of war, internal dissension, and economic turmoil. As we enter a new century, America will face new challenges testing our unity, our principles, and our system of government.

It is the young people of today who will encounter those challenges. They will be tomorrow's voters, community leaders, politicians, and citizens. They will be asked to make decisions about issues unknown to us today and the quality of those decisions will determine whether our constitutional system will endure. It is to these young people that this series is dedicated.

In this volume, *The Challenge of Violence*, we consider one of America's most vexing and long-term problems. Violence involves the use of physical force to injure, damage, or destroy. It is as old as human history itself. According to the Bible, the first murder occurred when Cain slew his brother Abel, but even

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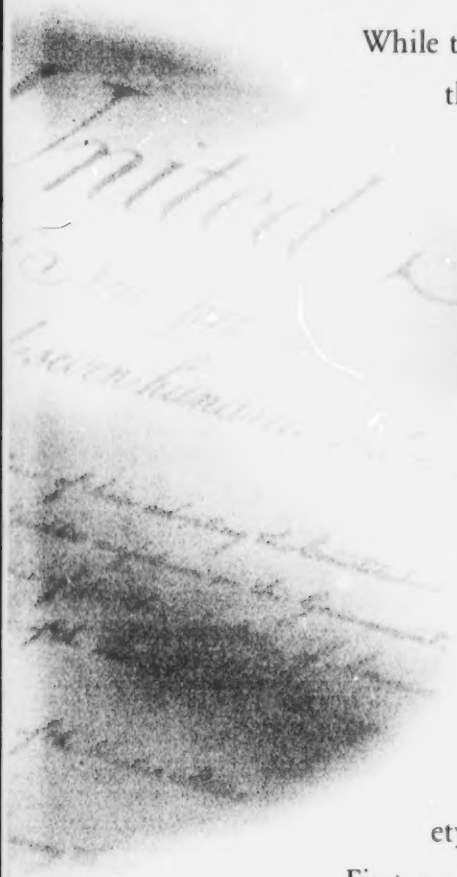
earlier examples can be found in ancient Egyptian and Mesopotamian myths. All the great religions contain rules against killing and philosophers have debated for centuries about when it is justified.



While there are many questions about violence, the primary focus of this book is on criminal violence and factors and behaviors that contribute to violent crime. Every year violent crime claims thousands of lives and costs billions of dollars. Every year new policies are proposed to curb violence, but while the rates of violent crime ebb and flow, it remains a national tragedy.

Through the use of this text, we invite young people to confront the difficult issues of violence in our society and work together to find solutions. First, we will examine the problem of violence: its history, its costs, and its causes. Then, we will explore the constitutional context of the political debate over violence and the questions of how government works to stem the tide without compromising the individual rights of citizens that Americans hold so dear. Next, we invite the reader to engage in some major policy debates about violence–getting tough, gun control, and youth curfews. Finally, we survey what citizens and young people around the country are doing to protect themselves from violence and to make their communities and schools safer places.

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CHAPTER 1

THE PROBLEM OF VIOLENCE

INTRODUCTION

Sometimes, the threat of violent crime seems to be everywhere. It haunts our streets, our schools, even our homes. It is a feature of the nightly news, television drama, video games, and movies.

But how serious is the problem really? Is it getting better or worse? What do we mean by violent crime? Who are its victims and what causes it?

Violent crime is deeply rooted in American history.

In this section, we focus on the past and present of the problem of violent crime in America. First, for a historical perspective, we will take you back into American history and ask the question, why are we so violent? Next, we examine America's experience with street gangs of yesterday and today. We then take a contemporary look at the nature of violent crime, its victims, and how it effects our basic institutions. Finally, we will examine what violent crime costs our society and enter the complex debate over its causes.

America's Violent Past

- To a busy urban street comes the staccato clap of automatic weapons fire. From a passing car, someone fires at a rival gang member, but misses and kills a young girl instead. The press features stories about a "mad dog" killer. Weeks later, the young suspect too is dead, murdered by rivals.
- On an empty field late at night, the sounds of yelling and cursing can be heard. Two young men struggle in a drunken brawl after a weekend party. One falls to the ground mortally wounded with a skull fracture. The other is arrested for murder.
- Two young college men, 18 and 19 years old and of upper middle class backgrounds, kidnap a 14-year-old boy for ransom and brutally kill him. They are eventually captured and tried for their senseless crimes.

Stories such as these confront us on a daily basis. But these particular stories come from America's distant past. The first took place in the early 1930s on the streets of New York; the second occurred in Springfield, Illinois, in 1837; and the third is based on the famous Leopold and Loeb murder case, which shocked the country in 1924. They prove a simple point: Violent crime is deeply rooted in American history.

Historians and sociologists have offered a number of explanations for why American culture, past and present, is so violent. Some have argued that the frontier experience in America was a crucial factor. From the nation's founding until 1890 or so, Americans pushed westward conquering the wilderness and establishing settlements. Confronted with Native Americans who often fought for their land and other settlers who had their own claims, the frontier population resorted to force and firearms. In some cases, there was little legal authority pre-

sent to settle disputes or keep law and order. In addition, along the frontier, the vast majority of pioneers were often young men. This population was the most likely to resort to violence under any circumstances. After nearly four centuries of the frontier experience, there emerged a strong American value for self-reliance and, when deemed necessary, the use of force.

Others have argued that America's historical diversity, while a great strength, has also promoted conditions that make violence more likely. According to this view, racism, cultural misunderstanding, and competition among the vast array of ethnic groups that have come to America have created tensions which make violence predictable.

Another theory suggests that the tendency toward violence in the United States can be partially explained by the frustrations caused by the American Dream itself. According to this reasoning, people throughout history have come to expect a prosperous life in America and our culture celebrates wealth and property. Yet in spite of the opportunities, many people fail to meet their expectations or, for larger economic reasons, significant numbers of people are trapped in poverty. These conditions lead to tensions that promote violence.

As with most theories, evidence can be found for and against all of these explanations. In any case, a brief survey of our history demonstrates that violence has always been a factor in American life.

THE EARLY YEARS

During the 1700s, robbery and other violent crimes were already troubling the English Colonies of America. Land was becoming scarce. During the mid-1700s, the English fought a series of wars and demanded high taxes from the colonists to pay for them. In turn, the Colonies suffered high rates of unemployment and poverty. Crime flourished in this environment.

In addition, throughout the century, English authorities transported criminals from England's jails, both men and women, to America as indentured servants. Before the Revolution, over 50,000 lawbreakers were sent to the American Colonies. While most became law-abiding colonists, some ran away once they arrived and went back to their old ways of crime and violence.

Philadelphia, known as the "city of brotherly love," was anything but loving. During the early 1700s, it became known as the "crime capital of the Colonies." Robbery, rape, murder, and arson, all crimes of violence, occurred on a regular basis. By the mid-1700s, New York City challenged Philadelphia for the dubious title of "crime capital." Boatloads of new immigrants to the colonies swelled its population. Along with the increasing population, came a rise in violent crime. A New York newspaper editorial complained: "It seems to have now become dangerous for the good People of this City to be out late at night without being sufficiently strong or well armed."

In the countryside and on the frontier, gangs of thieves and robbers preyed on travelers and farmers. Gangs in the North Carolina backwoods provoked citizens to take the law into

Even in earlier times, overcrowding and poverty in American cities contributed to violence.

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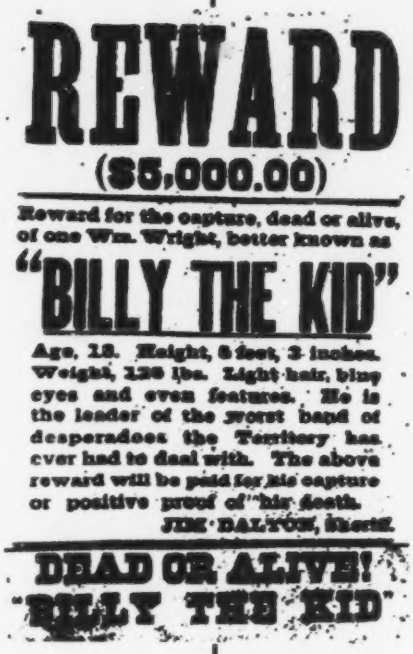
their own hands. In 1767, the citizens formed the first American vigilante group, which attacked and punished gang members.

VIOLENCE IN THE 1800s

During the 1800s, the population of America and its cities grew rapidly. Textile mills and new industries attracted immigrants from England and Northern Europe. With 60,000 people, New York passed Philadelphia and Boston to become the biggest city in the country by 1880.

The waves of new immigrants, and people leaving the countryside to find work in cities, created crowded conditions. Many were squeezed into crowded tenements in urban areas. Cities like New York gained a reputation for overcrowding and criminal violence. In the decade before the Civil War, over 3,000 homeless children roamed the streets of New York. Many of them became pickpockets and street robbers. One civic leader wrote in 1842: "Thronged as our city is, men are robbed in the streets . . . . The defenseless and the beautiful are ravished in the daytime and no trace of the criminals is found."


REWARD

($5,000.00)

Reward for the capture, dead or alive, of one Wm. Wright, better known as

"BILLY THE KID"

Age, 18. Height, 5 feet, 3 inches. Weight, 120 lbs. Light hair, blue eyes and even features. He is the leader of the worst band of desperadoes the Territory has ever had to deal with. The above reward will be paid for his capture or positive proof of his death.

JIM DALTON, Sheriff.

DEAD OR ALIVE!

"BILLY THE KID"

Out in the West, men wore guns for protection wherever they went. Others wore guns to rob. Los Angeles was only a sleepy village of about 8,000, but in one 15-month period in the 1850s, there were 40 murders. This is a murder rate more than twice as high as it is today. In much larger San Francisco to the north, there were entire neighborhoods where no one dared go after dark.

THE FIRST URBAN GANGS

In many cities, jobless immigrants formed violent gangs in ethnic slum neighborhoods. In Philadelphia, lower-class Irish and black groups terrorized the streets. With names like the Bleeders, Garroters, Rangers, Tormentors, and Killers, the gangs sometimes fought bloody battles on a spot known as the Battle Ground. Gang members as young as 10 carried clubs, knives, brass knuckles, and pistols. They attacked lone pedestrians, younger children, or members of other ethnic groups.

In New York, well-organized adult street gangs controlled the immigrant areas of Five Points and the Bowery. Made up mostly of young Irish immigrants, gangs called the Dead Rabbits, Plug Uglies, and Shirt Tails became famous for mugging people. In the nearby Fourth Ward, the Daybreak Boys were responsible for 20 murders between 1850 and 1852. Political parties recruited squads of toughs from these gangs to intimidate voters.

In the cities of the Northeast, during the 1830s through the 1850s came a period of serious urban rioting. Crowded conditions, intergroup tensions, and unemployment created pressures that exploded into ethnic riots, labor riots, election-day riots, anti-black riots, and anti-Catholic riots. In that period Baltimore alone had 12 major riots, Philadelphia had 11, and New York had eight. It was this burst of lawlessness that spurred the development of police forces in most cities.

AFTER THE CIVIL WAR

The Civil War killed over 600,000 people, more than any other war in our history. It also left behind enduring habits of hatred and violent revenge. Two families, the Hatfields and McCoys, had supported different sides in the Civil War. Their feud along the Kentucky-West Virginia border killed or wounded dozens of people between 1873 and 1888.

But the most vicious and widespread postwar violence was directed against blacks. During the period of Reconstruction, freed slaves served in state legislatures in the South. Former slaves educated themselves, voted, and many started businesses or began farming their own small fields.

In a racist response to these developments, some Southern whites created the Ku Klux Klan and other groups to terrorize blacks and help end the social changes of Reconstruction. In a reign of terror in Louisiana in the 1870s, a group called the White League killed over 3,500 blacks, many by **lynching**—a form of mob violence that punishes an accused person without a legal trial. In many cases, innocent

The violence of the Civil War echoed in the following decades and led to outlaws and lynchings.

people were hanged. In incidents all over the country, almost 2,000 African-Americans were lynched from 1882 to 1903.

THE VIOLENT WEST

After the Civil War, violence in the West increased. Thousands of young men displaced by the war or just out of the army headed west. Some turned into outlaws. The most famous robbers were the James and Younger brothers. They had been Confederate guerrillas and after the war they turned to robbing trains and banks, terrorizing Union states from Missouri to Minnesota. They killed 16 people.

In the 1870s, Billy the Kid, who was born in a New York slum tenement, roamed the West, gambling, killing, and hiring out as a cattle rustler. Sheriff Pat Garret finally tracked him down and shot him. According to legend, Billy the Kid had killed 21 men, one for each year of his life. Most historians believe that the actual number he killed was much smaller.

John Wesley Hardin from Texas killed his first victim at age 15. The victim was a black boy who had beaten him at wrestling. He went on to kill more than a dozen men, including one because he had badmouthed Texas. Hardin was shot and killed in 1895 and became another outlaw legend, though today we would probably call him as a psychotic murderer.

Even more violent were the range wars. Throughout the Western states, cattle and land barons hired armies of gunmen to guard or expand their private empires. In some cases, the cattlemen had the law squarely on their side. But often their gunmen settled scores and fought battles. Texas had the Sutton-Taylor feud, the Horrell-Higgins feud, the Jaybird-Woodpecker feud, and several others. Montana had the Johnson County War, which pitted European immigrant homesteaders against a cattle baron. Arizona had the worst range war of all. In the Pleasant Valley War, the cattle-raising Grahams fought the sheep-raising Tewkesburys with hired armies. The conflict raged for six years and was fought literally "to the last man."

RACIAL VIOLENCE

The end of the century marked the beginning of a long era of race riots. In 1871, a white mob in Los Angeles went on a rampage and

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Bootleggers arrested by state police in early 1920s.

hanged 20 Chinese workers from street lamps. Near the turn of the century, cities in the East and Mid-West experienced a rash of race riots in which whites attacked black neighborhoods, beating and lynching. Blacks were the victims of major race riots in Atlanta in 1906, Springfield, Illinois, in 1908, and in many other cities.

GANG WARS AND PROHIBITION

In 1920, the 18th Amendment to the Constitution made the manufacture, transport, or sale of alcoholic beverages illegal. The era of Prohibition, one of this country's most violent crime periods, extended from 1920 until the 18th Amendment was repealed in 1933. Prohibition created the conditions for thriving illegal businesses and violence as rival gangs warred for the profits from bootleg alcohol.

In Chicago, gangsters ran illegal beer-brewing and distribution businesses and bribed police and politicians to protect them. The business was so lucrative that rival gangs fought for control. Between 1923 and 1926, the Chicago beer wars killed over 200 people. By 1927, the mobster Al Capone had come out on top, but gang violence continued, climaxing with the Saint Valentine's Day Massacre in 1929. In it, gangsters thought to be working for Capone herded seven men against a wall in a downtown garage and machine-gunned them to death.

THE DEPRESSION DECADE

During the early 1930s, various crime organizations sought to form alliances to control gambling, prostitution, narcotics, and other illegal money-making activities. Gangster rivalry and greed, however, led to the murder of numerous underworld figures.

It was also the era of a number of very violent gangs that preyed on banks in the Mid-West and South. These gangs headed by John Dillinger, Bonnie and Clyde, "Baby Face" Nelson, Ma Barker, and others often shot their way out of trouble, killing a number of law enforcement officers and innocent bystanders.

As the Great Depression began in the early 1930s, violent crimes reached a peak. In 1933, the murder rate was 9.7 murders for every 100,000 Americans. The murder rate would not be this high again until the late 1970s.

A curious thing happened as the Depression continued: The violent crime rate declined. The murder rate, for example, dropped 50 percent between 1933 and the early 1940s. Other serious crimes fell by a third.

Why did crime decrease during a time of great hardship for almost all Americans? According to some historians, the Depression brought Americans closer together, because almost everyone was in the same boat. World War II unified Americans even more. In addition, the birthrate had dropped in the 1920s, which meant that the youth population—14 to 24 year olds—declined in size. Young people commit most crimes, especially violent crimes.

THE POSTWAR YEARS

Following World War II, the 1950s were a period of relative calm, but the turbulent 1960s saw an increase in many kinds of violence. A dozen civil-rights activists were murdered in the South, and many tens of thousands of anti-war activists took to the streets in demonstrations that sometimes turned violent. The major urban riots of the later 1960s exploded in African-American communities in Los Angeles, Newark, Detroit, and other cities where urban problems were growing.

Street crime, too, began to increase again. At this time the 14-24 age group grew rapidly. Many crime experts believe that this surge of

young people in the population contributed significantly to the increase of crime in the 1960s and its peak in the 1970s.

In the early 1980s the sudden appearance of crack cocaine caused a tremendous rise in drug-related and violent crimes, especially among the young. And with the rise in unemployment and homelessness, reports of street crime skyrocketed. Crime became so much of a concern to ordinary citizens that it spawned whole communities barricaded with walls, barred windows, and burglar alarms.

For those living today, the increase in violent crime may signal a frightening new trend. But violent crime has almost always existed at a high level throughout American history.

POINTS OF INQUIRY

1. Why has violent crime existed at such high levels throughout American history?
2. Why are violent outlaws like Jesse James and Billy the Kid so often portrayed as heroes?
3. How do you account for so much mob violence directed against African-Americans throughout our history?
4. Why did the crime rate go down in the 1930s? Why did it go up again in the 1960s?
5. List as many causes of crime in American history as possible. Discuss the list and select the five most important. Explain your reasons.

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The Gang Question

For many Americans, the youth street gang symbolizes violence. To those who live in communities where gangs operate, gangs are more than a symbol: They are a real threat. Drive-by shootings, murders, robberies, carjackings and assaults are part of gang culture. Parents fear that their children will join gangs or become the victims of gang violence.

The number of communities directly affected by gang violence is growing. According to a 1994 study from the USC Center of Research on Crime and Social Control, street gangs are active in 94 percent of America's major cities and in more than 1,100 cities of all sizes. In a 1995 National Institute of Justice survey, prosecutors around the country reported increases in gang-related violence from 1990 to 1993. But like violence itself, street gangs are not new.

STREET GANGS FROM THE PAST

Escaping from tenements, boys take to the streets in crowded New York City

Historically, while not unknown in rural areas, violent juveniles have always been a significant factor in large urban areas. As early as 1791, children's gangs were noted in Philadelphia. During the 19th century, youth gangs became a serious problem in cities on the eastern seaboard, particularly New York City. As the century progressed, the urban population swelled from the twin influences of immigration and industrialization. Overcrowding and poverty gave rise to what would be modernly recognized as youth street gangs.

In one memorable fight in 1903, hundreds of young men from three different street gangs—the Eastmans, the Five Pointers and the Gophers—waged an hour-long gun battle on New York's East Side. Only after police arrived in massive force did the fighting end. Three young men died and seven lay wounded

and bleeding on the streets. The incident was only one in a series of bloody battles that terrorized the East Side for many years. But this one created a scandal that forced local politicians to negotiate a peace among the warring factions.

New York street gangs thrived and evolved throughout the early decades of the 20th century. Young men whose families had recently arrived from abroad found themselves living in crowded and decaying tenements. To escape, they sought refuge and companionship on the streets. There, from very early ages, they formed cliques with other youth of similar ages and backgrounds.

Youngsters flashing gang signs in today's urban environment.

Clique members bonded together for protection, friendship, and mischief making. Many were products of families cut off from the social stability of the old communities in their homelands and stressed by cultural alienation and poverty. The pocket communities where they lived–the Lower East Side, parts of Brooklyn, the Bowery–were also economically poor. Under these strains, many families lost control of their children.

Once on the streets, a clique could drift from pranks to gambling to petty theft to violence. Many followed the example of older peers who had taken the same path before them. During Prohibition, the cliques proved a good recruiting ground for older gangs. These gangs grew and multiplied to meet the demand for illegal alcohol.

Many leaders of organized crime in this era got their start in street gangs. They included Charles "Lucky" Luciano, Jonny Torrio, Al Capone, Meyer Lansky, Benjamin "Bugsy" Siegel, and Frank Costello. As young adults in the 20s and early 30s, they and others from various urban areas waged a murderous war for territory and vice control in cities from New York to Chicago. This generation passed down to us organized crime as we know it today. Of course, the vast majority of youth from these and similar backgrounds did not become violent criminals. Most became productive citizens and leaders in society.

MODERN STREET GANGS

Many of the same factors that created the street gangs of the 1920s and 1930s are at work today. Youth gangs continue to thrive in poor communities cut off from the mainstream economy. A lack of jobs and income puts heavy pressures on the families living there. High rates of divorce, single parent families, and crime are common. Young people lacking supervision or recreation and job opportunities drift into gang life. Many follow the example of older brothers and sisters.

Experts cite several reasons for the high levels of violent crime associated with street gangs. Many gangs are very protective of territory. Killings and beatings often take place when two different gangs compete for the same turf. Gangs are also protective of their members and identity. If one gang member is attacked, other gang members will retaliate. If another gang "disrespects" a gang, brutal fights can erupt. Many gang members abuse drugs or alcohol. These substances can impair judgment and cause people to argue and fight. Finally, many gangs get involved in crime such as robbery, carjacking, and the drug trade. Violence is a key ingredient in all of these activities.

According to the National Institute of Justice, gangs usually form along racial or ethnic lines. The most common gangs include:

- Locally-based, African-American gangs;
- African-Americans gangs based in Los Angeles, either Crips or Bloods, which have established groups around the country;

PROFILE

Charles "Lucky" Luciano

Born in 1897 in Sicily, Salvatore Lucania came to the United States with his parents in 1906. He grew up in the crowded tenements on the Lower East Side of Manhattan and, like many young males, soon took to the streets. By 14 he left school and started smoking opium and hanging out with a gang. A natural leader, he and his clique committed petty crimes and often warred for territory with nearby Jewish and Irish gangs. His first arrest was for opium possession at the age of 18. He received a sentence of eight months in reform school. Five years later, he was arrested for selling heroin. He turned in his suppliers to the police and most of the charges were dropped.

During Prohibition he got involved with one of the Italian gangs that ran bootlegging operations in New York. Violence was a natural part of gang life. As Lucania rose up the ladder of the gang, he was arrested for gun possession, armed assault, armed robbery and other crimes, but was never convicted.

During this time, Lucania decided to Americanize his name. He became Charles Luciano. He got the nickname "Lucky" because he survived so many scrapes with other gangsters and the law. In one example, a rival gang kidnapped and tortured him, slicing his face with a knife so badly that it left a permanent scar and a droopy eyelid. But Luciano was lucky because, unlike so many others, he lived through the ordeal.

In the early 1930s, Luciano engineered the brutal murders of three major gang leaders and emerged on top of the New York mob. Under his influence, organized crime as we know it today developed. But his reign did not last long. Targeted by Thomas Dewey, New York's special prosecutor, in 1936, Luciano was convicted of running the city's prostitution rackets and was sentenced from 30 to 50 years. He served his next 10 years in prison.

Credited with helping America's war effort by using his mob influence to stop sabotage on the New York docks, Luciano was released from prison in 1946. He was immediately deported to Italy. Through the remainder of his life, federal and Italian authorities suspected that he was a key player in the heroin trade to the United States. And while desperate to return to the streets of New York, Luciano was never allowed back into the country. In 1962, after several years of illness, Luciano dropped dead of a massive heart attack.

In the end, Luciano left a legacy of crime and extreme violence. Besides his own personal crimes, he helped create a criminal organization that has terrorized America for the last 70 years. But why did Salvatore become such a violent and vicious criminal? After all, he was the only one of five children in the Lucania family who did turn to crime.

A 1946 report from a prison psychologist might provide a clue. The report noted that Luciano was of "bright intelligence" and had no "mental abnormalities." But, the psychologist also found that he was an "aggressive, egocentric, antisocial type who has more less adopted the criminal habits." Providing a hint of what might have led Luciano down the wrong path, the psychologist concluded that the subject "was more the product of the street influences than any inherent personality defect."

- Gangs with origins in the Caribbean, such as Jamaica or the Dominican Republic;
- Hispanic gangs, often made up of members of Mexican or Puerto Rican heritage, but several cities have new gangs of Central American backgrounds;
- Asian gangs, including Chinese, Vietnamese and Cambodian;
- Motorcycle gangs, whose members are of Anglo-European backgrounds;
- Hate gangs, including the Ku Klux Klan and Aryan Nation.

As the examples suggest, there is no evidence from national self-report studies of any race or ethnic group being more violent than another, once social class is taken into account. And only a small minority of youth become actual street gang members.

Gang members themselves give a variety of reasons why they belong. Some say that they join a gang for protection against other gangs. Others claim that the gang takes the role of a family giving them a sense of belonging and support. Others have said that it gives them a chance "to be someone" who is respected and admired in the neighborhood. Finally, some claim that gang life is just another version of the American Dream. According to this point of view, gang members, because of racism or lack of opportunity or motivation, are denied traditional ways of succeeding. Wanting the same things everybody wants–a house, a nice car or clothes, a way to support a family–they resort to crime.

Many gang experts, and even former gang members, dispute these points of view. They cite the vast majority of youth who come from gang neighborhoods who never become gang members. They also point out that many young people do leave gang life by either growing out of it or deciding that it offers nothing but a dead end.

Those who do not leave often get trapped by their own "gang mentality." They begin to believe there is no other life and nothing more important. Seduced by the feeling of power and acceptance on the street, they come to view it as the only reality. The longer they stay in the life, the less ability they have to leave it because they have not developed the educational, social, or work skills to succeed. Even a gang member who wants to leave the life faces obstacles–fear of the unknown, loyalty to the group, and peer pressure. It is a trap many never escape.

POINTS OF INQUIRY

1. What factors contributed to the rise of the urban street gang?
2. How are modern street gangs different from street gangs of the past? How are they similar?
3. What street gang behaviors are associated with high levels of violent crime?
4. What factors make it difficult for some members to leave a gang?

Violence Today

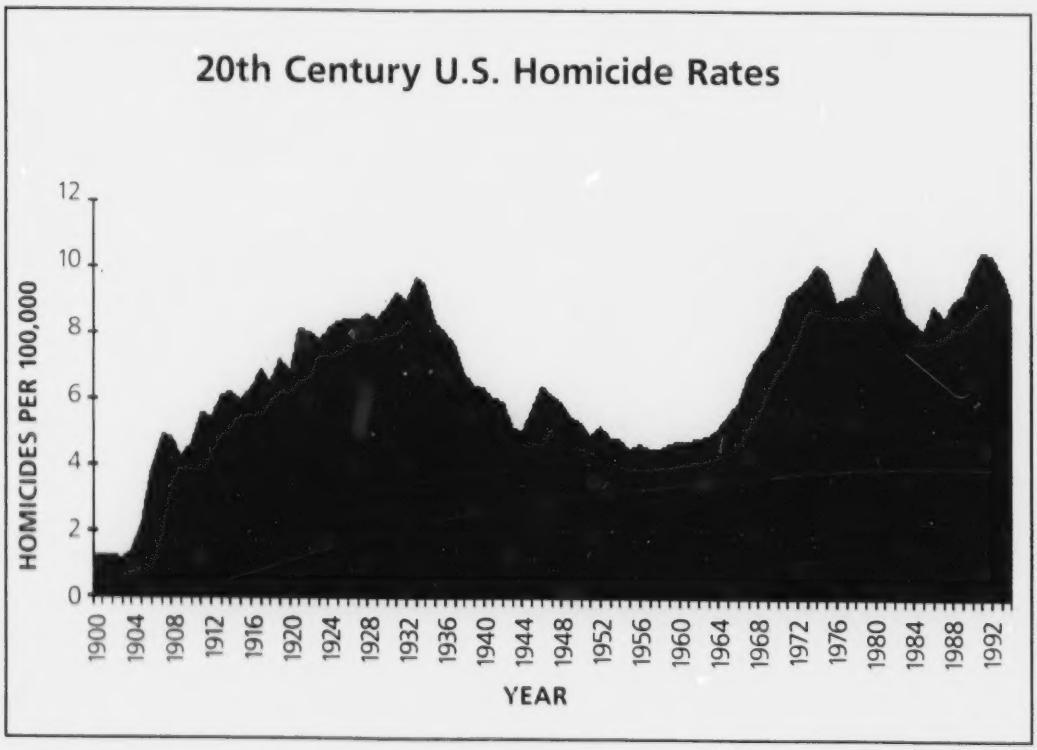
AN OVERVIEW

If one watches the local television news, it is easy to get the impression that violence in America is not only a bigger problem than in the past, but that it has reached crisis proportion. News reports of drive-by shootings, carjackings, berserk gunmen, and a variety of other killings are common-place. The concern over crime and violence is also reflected in opinion polls. In a recent *L.A. Times* poll, 43 percent of Americans believed that crime was the most important problem facing the country.

At the same time, many indicators of violence show that violent crime in America is actually decreasing. For example, the National Crime Victimization Survey (NCVS) shows that the percentage of households experiencing some kind of violent crime has generally declined since 1975. According to the Uniform Crime Report (UCR), the murder rate has also dropped in recent years.

And in spite of polls showing that people are very concerned about crime and violence, on a personal level most people do not seem to be threatened by it. In the same *Times* poll, 83 percent responded that they felt secure in their own communities. Also, 85 percent of parents felt that children are safe in their neighborhoods. In fact, most Americans feel as safe in their neighborhood today as they did in the past.

These polling results and crime trend statistics illustrate two truths about violence. First, rates of violence tend to fluctuate over time, sometimes getting worse and sometimes better. For example, according to the Bureau of Justice Statistics. In 1905, the homicide rate in the United States was about 2.5 murders for every 100,000 people. This figure may have been artificially low due to the nature of reporting at the time. It climbed to just under 10 per 100,000 in the early 1930s, but then began dropping to under five per 100,000 in 1960. Climbing again it hit 10.7 in 1980, but dropped again until the early 1990s, when it peaked again. It now seems to be dropping again.



Street violence claims another life.

Experts offer a range of reasons for these changes. Most see a connection between rates of violence and crime and the relative age of the population. If a greater percentage of the population consists of young males between the ages of 15 to 25, the violence rate tends to go up. Others argue that rates of poverty and social factors contribute to these trends.

The polls also demonstrate that peoples' perceptions about crime and violence do not necessarily reflect real trends. For example, in the mid-1990s polls started indicating a greater public concern over crime and violence, when the actual rates had leveled off and were declining.

Again experts offer various explanations. According to some, concerns over violent crime are somewhat constant, but at various times get overshadowed by other issues. For example, in the early 1990s, when violent crime rates peaked, many Americans were focusing on the economic recession and concerns about jobs. Others suggest that recent concerns over violent crime are based less on personal experience or actual crime rates and more on perceptions fueled by the media, which tend to highlight very violent and dramatic crimes. They point to polls showing that up to 65 percent of the population base their views about crime on media reports, while only 21 percent are based on their own experiences.

Of course, none of this suggests that violent crime is not a serious problem in America. Even when the violent crime rates are relatively low, nearly 5 million households each year experience some kind of violent crime. And because population experts are predicting an increase of 20 percent in the population of teens 14-17 by 2005, violent crime rates are likely to rise again.

Finding solutions to America's ongoing violent crime problem will not be easy. The reason is simple. Violence is not one problem. It is many problems. It has many faces, many causes, and many different victims. Before trying to do something about violence, it is important that we know more about it.

THE NATURE OF VIOLENCE

There is no one definition of violence. Different groups who study the problems of violence in our society look at them in different ways. For example, the National Academy of Science defines violence as "behaviors of individuals that intentionally threaten,

attempt or inflict physical harm on others." The American Psychological Association definition holds that violence consists of "immediate or chronic situations that result in injury to the psychological, social or physical well-being of individuals or groups."

Legal definitions of violence are more narrow and define violence in terms of specific crimes. These include murder and intentional manslaughter, forcible rape, robbery, and assault. Violence against a person is an ingredient in all of these violent crimes. For example, robbery can be defined as the taking of a person's property by the use of violence or threat of violence. By passing new laws, the government can define additional violent crimes. States have also passed laws against carjacking, stealing a car by the use of violence or the threat of violence.

Another way to think about violence is in terms of specific groups who are likely to be violent or who are likely to be victims of violence. For example, experts might study gang violence because gang culture often promotes violent activities. More broadly, attempts are made to study youth violence as a whole. Likewise, violence can be studied in terms of the impact it has on certain groups such as women, children, or black teen-aged males. In taking these approaches, experts try to uncover the causes and effects of each of these kinds of violence in hopes of finding solutions to the specific problem.

Finally, violence can be studied in terms of its impact on various institutions. In recent years, concern has been raised about violence in our nation's schools and homes. Because in many cases children and young people are the victims, it is particularly important to understand violence in these places.

YOUTH VIOLENCE

Many older people tend to think that today's youth are more likely to break the law than young people in the past and are more violent than ever. However, in 1970 youth 18 and under accounted for 26 percent of all arrests, and by the early 1990s this figure had dropped to only 16 percent.

But beginning in the mid-to-late 1980s, experts began noticing a nationwide increase in the rates of violent crimes against youth, especially those 12- to 15-years old. More disturbing, these trends occurred while the population of teen-agers was on the decline. Beginning in 1985, the national rate of youth arrests for violent crime increased every year except 1992, 1994, and 1995. Also, beginning in 1985, there was a disturbing increase in the adolescent murder rate; for teens aged 14-7, it increased 172 percent. It too started to decline in the early 1990s.

In spite of recent reductions in violent youth crimes, the overall rate remains at depressingly high levels. In 1995 the arrest rate for violent crime for 10- to 17-year-olds was 622 per 100,000, down from a peak of 655 per thousand in 1990. However, these rates are not too different from adult rates for violent crime.

Some experts have questioned whether society is justified in emphasizing youth violence. In a 1996 book called, *Scapegoat Generation: America's War on Adolescents*, researcher Mike Males demonstrated the decline in violent youth crime, particularly in Los Angeles and California. He also provided statistics suggesting that other age groups and types of people are just as violent. Based on his findings, he argued that the perception of a generation of violent youth had been used by the media to "demonize" young people. He concluded in an interview, "We do not stereotype adult groups that way. Young people deserve the same fairness."

Teens are much more likely to be victims of violence than adults or senior citizens.

While other experts agree that it is unfair to blame young people for violence in America, they still give voice to concern. Delbert S. Elliott, a researcher in the field of youth violence, notes that according to self-report studies, the highest rates of participation in

CIVIL CONVERSATION

THE CAUSES OF VIOLENCE: DIFFERENT POINTS OF VIEW

What are the causes of violence? Violence usually grows out of a complex web of factors and circumstances. It is difficult to point to any one element and say, "Here is the cause of violence." Depending on their point of view, different groups of people have different opinions about what causes violence.

Below are two lists of the causes of violence. One list was gathered from adults (including some criminal justice judges). The second list was gathered from young people who have been arrested, convicted, and sentenced for committing violent crimes.

LIST #1 (ADULTS):

- Human beings are a violent species.*
- The United States is a violent nation.*
- Violence in the media*
- Poor housing, neglected neighborhoods, and lack of recreational facilities and programs
- Stress*
- Low birth weight, head injuries, undetected diseases
- A lack of social skills*
- The breakdown of the family and the rise of gangs*
- The romance and allure of money, rebellion, gangs, and guns*
- Violent role models (at home, in sports, and on television)*
- No educational or job prospects for young people*
- A lack of alternative activities for young people*

LIST #2 (YOUNG PEOPLE):

- Child abuse
- Drug and alcohol abuse by parents
- Problems at home
- Inadequate housing
- Deteriorating neighborhoods
- Poverty
- Gangs
- Disregard for education
- "How you look at someone"
- "Red-dogging, dissing, and beefing"
- Peer pressure, machismo, the need to "save face"
- Respect (wanting to belong)
- Racial and sexual discrimination

* Compiled by Hal Burbach, Chair of the Contemporary Issues Department, Curry School of Education, U.Va. He cites many sources, including Gallup polls, *Time*, *Newsweek*, etc.

The Annual Costs of Violence

Every year crime and violence exacts a huge cost on America in terms of lives, resources, money, and quality of life. Here are some of the costs we all pay each year.

- Government pays around $125 million to victims for medical expenses, mental health counseling, and lost wages. (National Institute of Justice)
- Violent crime in the workplace costs about half a million employees 1,751,100 days of work. (Bureau of Justice Statistics)
- Federal, state, and local governments spend nearly $39 billion on police protection. (*U.S. News and World Report*)
- The costs of maintaining America's prison system is estimated at $29 billion. (*U.S. News & World Report*)
- Businesses and homeowners spend an estimated $64 billion on security measures including alarm systems, locks, guards, and armored vehicles. (*U.S. News & World Report*)
- Medical and mental health costs of violent crime such as murder, rape, robbery, and assault amount to $11 billion. Lost wages and pain and suffering costs of victims might be as high as $191 billion. (*U.S. News & World Report*)
- Crimes of violence cost victims over $4 billion in economic loss. (Bureau of Justice Statistics)

violent acts are at ages 16-17. On the other hand, if a young person does not get involved with violence before the age of 20, he or she is unlikely to do so. And while 80 percent of young people stop being violent by the age of 21, the remaining 20 percent commit a high percentage of violent crimes. For these reasons it is important to focus on efforts to prevent youth violence.

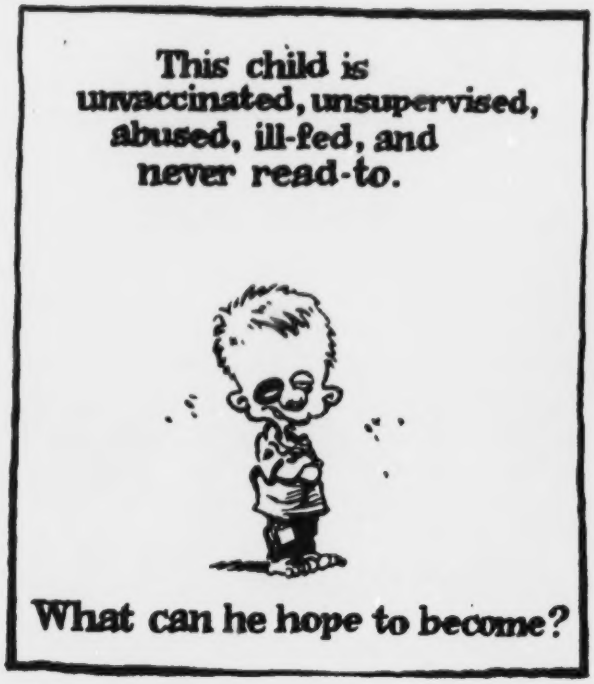
Even more importantly, teen-agers are often the target of violence. On average, teens are much more likely to be victims of violence than adults or senior citizens. Black males in the age range of 16 to 19 are especially vulnerable. Their violent victimization rate is twice as high as for white males and three times higher than for white females. Also black males suffer more serious violent acts, those involving a weapon, than do young whites.

SCHOOL VIOLENCE

According to various sources, nearly 3 million crimes occur every year in or near America's 85,000 public schools. A U.S. Justice Department study found that 13 percent of high school seniors had been threatened with a weapon. And these problems are not just found in urban schools. Rates are similar in suburban areas.

For many students and teachers, violence is part of modern school experience. Since schools serve communities where gangs, guns, and drugs are problems, it is not surprising that these problems often find their way onto the campus. In addition, schools have to deal with certain developmental factors in the lives of young people that can lead to conflict and violence.

During middle and senior high school, students experience a variety of psychological and social changes in their lives. It is a time when young people seek to establish an identity outside of home and family. Part of this involves competing for status and respect. It also leads students to put one another down. This can lead to conflicts, and conflict can lead to violence.



An extreme form of this behavior is called bullying. Some students bully other students with taunts or teasing or even physical abuse. Sometimes bullies commit violent acts on other students; sometimes students who are being bullied fight back or even become violent themselves. In some cases, bullying can become deadly. For example, in Pennsylvania a 15-year-old shot a student who had been bullying him during his biology class. In another case, this time in Missouri, a middle school student shot and killed another student and then himself after he had been bullied.

As these incidents illustrate, guns in school are also becoming an increasing problem. More young people are taking guns to school, and most say they do so for protection. This is not only a problem of urban schools where 3 percent of students report they have take a weapon to school for protection. In a suburban school district in Louisiana, 21 percent of the high school students said they had carried a gun in the previous year.

CHILD ABUSE

The problem of violence against children has received increasing attention in recent years. Statistics show that over a million children every year are the victims of child abuse or neglect. Of this group, nearly 40 percent suffered some kind of physical or sexual abuse. Over 1,000 die as a result. And while reporting has improved in recent years, professionals still believe many cases are never reported.

Of the victims, about 52 percent are female and 47 percent are male. And sadly, younger children suffer the most. Almost 30 percent of all victims were 3-years-old or younger and 20 percent of the victims were between the ages of 4 and 6. Only about 20 percent of victims are between the ages of 13 and 18.

Violence against children not only causes immediate harm, it can leave scars that last a lifetime. Many people who suffer emotionally later in life were abused as youngsters. Child abuse also leaves a dangerous legacy of violence for the future. A very high proportion of career criminals, particularly those who use violence themselves, were abused as children.

VIOLENCE AGAINST WOMEN

Throughout the United States, more than 2.5 million women experience violence each year. But in spite of public perceptions, women as a whole are much less likely to become victims of violence than men. In recent years, the average number of male victims per 1,000 persons was 40.5. For females, the rate was 24.8 per 1,000. And unlike males, women are more

PROFILE

Community Activist Viola McClain

SOMETIMES, THE COSTS OF VIOLENCE CANNOT BE MEASURED IN DOLLARS AND CENTS.

For over three decades, Viola McClain's home stood like a tranquil oasis in a neighborhood that suffered more than its share of violence. Viola's sons, grandsons, and nephews kept the modest South Central Los Angeles dwelling immaculate. The garden and lawn were neatly trimmed and blooming rose bushes splashed color along the front porch. Sturdy bars at her windows discouraged intruders, but family and friends were always welcome at Viola's place.

Church and community meant everything to Viola McClain. Since 1941, the 82-year-old great-great-grandmother had been an active member of the Village Baptist Church. At election time, she worked at the polls and encouraged everyone in the neighborhood to exercise their right to vote. Children and adults in the tiny Watts neighborhood along 111th Street remember being baby-sat and maybe even spanked a time or two by "Mother" McClain. "Anybody that needed help, she was there. . . she just gave herself," one neighbor commented.

Now Mother Viola McClain was dead. Her body lay in state in the church that had been the center of her life. Hundreds of people filed past her casket, mourning the loss to their community. Viola McClain's death was particularly tragic because she did not die of old age. Viola McClain died violently, at the hands of a juvenile with a gun.

Just prior to the shooting, McClain's grandson discovered a group of boys setting fire to a mattress outside an abandoned building next to his grandmother's cottage. When the grandson confronted the boys, one of them brandished a handgun. The grandson ran back to the McClain residence to get his gun. Viola McClain stepped out on the porch to intervene. In the exchange of gunfire that followed, one of the bullets allegedly fired by the juvenile caught Viola McClain in the neck and killed her.

According to the police, the boy and several other youths aged 13-20 were suspected of participating in the gang rape of a 13-year-old girl. They had allegedly locked her in a closet in the ramshackle house and were setting the fire in an attempt to destroy the house, the girl, and other evidence of their crime. Today, the youthful suspects are in custody, the 13-year-old rape victim is not doing very well, and Viola McClain's empty home stands as silent witness to the tragic price that violence extorted from a single L.A. neighborhood.

likely to suffer violence at the hands of someone they know well.

Every year nearly 133,000 females over the age of 12 are raped. According to studies, only a little more than 50 percent of rapes are reported to police. More rapes are committed by a person known to the victim (55 percent) than by a stranger (44 percent) and about 20 percent of the time, the offender is armed.

Another type of violence that affects women at much higher rates than men is domestic violence. These are rapes, robberies, or assaults committed by an intimate, a boyfriend, husband, family member or relative. These crimes are often committed at home. The majority of these crimes committed by husbands or ex-husbands. About 80 percent are assaults. An assault is the intentional infliction of an injury on another person. Like rape, it is believed that many cases of domestic violence are never reported.

VIOLENCE IN THE WORKPLACE

While most violent crime takes place on the streets or in the home, 15 percent of the 6.5 million acts of violence in the United States take place in the workplace. Thirty percent of victims of workplace violence are assaulted by someone who is armed. Yet, in spite of recent news stories, cases in which an employee goes on an armed rampage are rare.

The most common locations for workplace violence are restaurants, bars, and nightclubs and other commercial establishments such as gas stations, convenience stores, and banks. Only 9 percent of workplace violence takes place in schools.

POINTS OF INQUIRY

1. What factors might cause rates of violence to fluctuate over time?
2. Why are young people so often the victims of violence?
3. What student behaviors contribute to violence in schools? Have you experienced these behaviors in your own life?
4. How does child abuse contribute to violence in the future?
5. What might explain why women as a whole are less likely to be victims of violence than men?

The Risks and Causes of Violence

While most agree that violent crime is a serious problem in our society, opinions differ as to its causes. Some scientists have concluded that violence is promoted by certain biological factors. Others experts point to certain social factors such as poverty, discrimination, lack of hope, or the breakdown of family values or childhood abuse. Finally, some argue that various cultural factors such as the influence of the media contribute to our violence problem. These debates are important as society tries to find solutions to the problems of violence. There are no easy answers. In fact, there are many causes for violence and many situations that make violence more likely to happen.

Because there are many causes of violence, and more than one cause may influence someone to be violent, experts are beginning to look at violence in terms of what are called "risk factors." These are social, biological, and cultural factors that make it more likely that an individual will resort to violence or commit violent crimes.

SOCIAL RISK FACTORS

Social problems—such as poverty, unemployment, racial discrimination, and child abuse—are often cited as factors which can contribute to the chances that an individual may become violent. They do not cause violence in any direct sense. The vast majority of poor people, for example, remain law-abiding all their lives. But these factors may make it more likely that some people turn to violence. In this section, we will examine some of these social factors, some that might affect a whole community and some that affect families and groups in a community.

Poverty and Unemployment

Many people believe that poverty contributes to violence and crime. Statistics do show much higher rates of crime and violence in poor communities. You only have to drive through a high-poverty area and look at the barred windows and security doors to know that the people who live there worry about their safety.

In the early 1980s, the overall rate of violent crime started declining. Many criminologists had predicted the decline because the average age of the population was getting older. Since young people commit the bulk of crime, criminologists predicted the crime rate would continue to decline throughout the '80s. But according to the Uniform Crime Reports, in 1984 it started to rise again. Why? Some experts pointed to the increasing rate of poverty. Over the decade, the number of children living below the poverty level went up 21 percent. Many of these children lived in working families, but it was no longer possible to live above the poverty level on minimum wage. The minimum wage, adjusted for inflation, declined 20 percent over the decade. Although the minimum wage was increased in 1996, with changes to the nation's approach to welfare, some fear that even more children will grow up in poverty.

Researchers find a strong correlation between crime and violence and poverty and unemployment.

Directly related to poverty is the lack of jobs that provide an adequate income. During the 1980s, the unemployment rate went from about 4 percent to about 8 percent. And far worse for poor communities, there were structural changes in the American economy that completely eliminated 2.6 million industrial jobs.

Some social scientists have found a direct relationship between joblessness and crime and other social problems. A detailed long-term study by Dr. Harvey Brenner of Johns Hopkins University found that for every 1 percent increase in the unemployment rate, the United States sees 650 extra murders.

But why does poverty promote crime and violence? Several reasons have been advanced. For one thing, poverty puts a lot of pressure on the families forced to deal with it. It can cause strain in family relationships leading to

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broken families. Broken families often have a more difficult time nurturing or controlling their children. Poverty can also build frustrations that can lead to alcohol or substance abuse or even domestic violence. Children raised in these circumstances have a greater risk of becoming violent as they grow older.

Poverty and unemployment are highest in some minority communities and particularly among young African-Americans and Latinos. One third of all poor children in the country are black, and the poverty rate grew faster for Latinos over the 1980s than for any other group. Almost 45 percent of all black children grow up below the poverty line, compared to 16 percent of white children.

Black males are six times more likely to die from homicide than white males.

Many criminologists believe that much street crime grows from these high levels of unemployment and poverty. In communities cut off from the mainstream economy by barriers of race and culture, despair and hopelessness gives rise to crime and violence. Black males are six times more likely to die from homicide than white males. Crime statistics show that blacks now account for about 60 percent of all robbery arrests.

Child Abuse and Neglect

The family is usually the greatest single influence on a person's life. In a family, we learn how to behave, how to treat other people, and how to view ourselves. Children can be very sensitive to cruelty or lack of affection, which can create anti-social habits or serious mental problems. Some of these problems may not even show up until much later, as the child grows. Many sociologists believe that parents who abuse their children start a cycle of abuse from generation to generation. Abused children often grow up to abuse their children.

In a study reported in *Science* magazine, sociologists found that neglected children were one and one-half more times as likely to commit violent crimes later in life than non-neglected children. Abused children were twice as likely to become violent criminals. Abused children are also six times as likely to abuse their own children. The study concluded that the abusive family was one place where society should try to break the continuing cycle of violence. Neglect and abuse within a family can lay the roots for a life of violent crime.

The number of reported child-abuse cases more than tripled over the 1980s and early 1990s. Some of this increase may have come from renewed attention to the problem and better reporting. But now more than one American family in 100 has seen some instance of abuse serious enough to be reported to the police. Many cases of abuse undoubtedly never get reported. In New York City alone, more than 100 children die of abuse every year.

Juvenile crime statistics show that teen-age boys who were abused as children are two to three times more likely to turn to crime than other boys of the same age. Some social scientists insist that almost all career criminals, particularly those involved in crimes of violence, were abused as children.

INDIVIDUAL AND SITUATIONAL RISK FACTORS

Another approach to studying violence is to focus on individual and on situational factors. Crimes of violence, after all, are committed by particular individuals in particular situations. Some scientists have studied how biology may affect violence. Other scientists looking for situational factors in crime have studied guns, alcohol, and drugs. In this section, we will examine some of these individual and situational factors.

Biological Traits

For many years, scientists have tried to determine whether certain biological factors make people violent or criminal. The results of such studies have not been conclusive and can be very controversial. Some of the studies when tested by other scientists failed to show the same result. Others conducted on animal subjects may not be transferable to humans. Many fear that finding a biological cause for violence might brand people with those bio-

logical traits as being violent or criminal even if they are not.

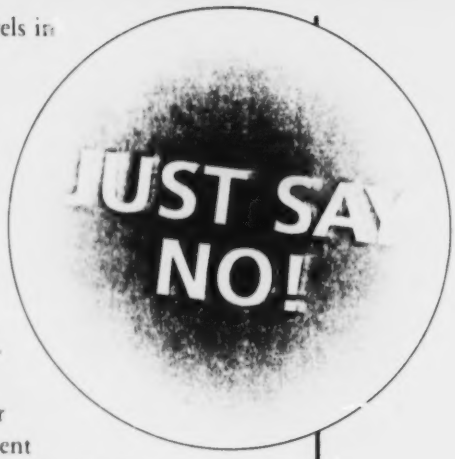
One field of study called *sociobiology* is now taking a different approach. Sociobiologists do not believe that there is a criminal or violence gene. Neither do they believe that people are born criminals or born violent. They do think that certain biological factors make people tend toward violence, but they only become violent if they are brought up under harmful social conditions.

Social scientists Richard J. Herrnstein and James Q. Wilson point out several biological traits that predispose a person to crime. The first is simply being male. In all known societies, young males account for almost all violent crimes. Experiments have shown male sex hormones increase aggression. Young males often have some trouble adjusting to the hormones. Many engage in rowdy behavior. Some become violent and some commit crimes.

A second biological trait, according to Herrnstein and Wilson, is intelligence. Studies have shown that violent criminals generally score low on intelligence tests. It isn't really known why low intelligence and crime are related. One theory is that people with low intelligence may get frustrated with school, grow angry and resentful, and start committing delinquent acts. It is also possible that it is harder for people with less intelligence to develop the mental and social skills that help avoid violent solutions to problems.

The work of sociobiologists too has become very controversial. Critics have doubts about some of the methods used in their studies. They criticize classifying intelligence and temperament as biological traits and see them instead as the product of both biology and learning. They also fear that they might be used to stigmatize certain young people for what are really cultural and class factors.

Other scientists are studying the effect of certain hormones and chemicals on violent behavior. For example, serotonin is a neurotransmitter, a chemical that helps the brain function. For over 20 years, researchers have found that the level of serotonin in the body is related to various kinds of aggressive behavior. Some scientists are developing drugs to control serotonin levels in hopes of helping control aggressive behavior.



Use of Drugs and Alcohol

Thirty-five percent of state prison inmates report they were under the influence of drugs when they committed their crimes. Over 40 percent admit to using drugs every day for the 30 days prior to their convictions. About half of all persons convicted of violent crimes drank alcohol shortly before committing their crime. Two-thirds of all homicides involve people who have been drinking.

Access to Guns

Guns by themselves are not a cause of violence, but some argue that easy access to guns makes America's problems with violence more destructive and deadly. In the United States each year, handguns are used in about 35 percent of all robberies and in about half of all homicides.

Indeed, guns and gun ownership are very common in the United States—far more so than in other democracies, which have stricter gun laws. Increases in violent crime, especially in urban areas, have caused millions of Americans to believe that they cannot rely on police protection alone. In national opinion polls, about 40 percent of all households report owning at least one firearm. Experts claim 13,500 of every 100,000 Americans own handguns. As a comparison, the rate per 100,000 in Canada is 3,000, and in Great Britain, under 500. (In Great Britain, which has a very low murder rate, even the police do not normally carry guns.)

CULTURAL RISK FACTORS

Some social scientists fear that there are aspects of American culture that may promote violence. These include certain societal values or beliefs and the ways in which they are transferred from one generation to the next by modelling and popular culture such as movies and television.

Values and Beliefs

Many people believe that Americans hold certain values or beliefs that may encourage violence. One such value might be our love of material goods. Judging by our mass media, our society seems to place a high value on owning new things. In fact, the cumulative message of most advertising is that happiness only comes from having things. Wealth and material possessions translate into status or position in society. Thus people often want things they cannot afford to buy and some people may resort to crime and violence to get them.

Do the media reflect or promote violence in American society?

Another value or belief that some claim affects America's crime rate is the idea that violence is acceptable and even admirable. Parents often tell children not to let anyone shove them around. Also, a common theme in American folklore is the hero who fights criminals. Our movies and television programs often show sheriffs, police officers, and cowboys using guns and violence to combat the violence of criminals. Similarly, such programs may show people committing violent acts. This does not mean that individual Americans favor the use of violence. Rather, it means that Americans may view violence as a normal part of life. Some people believe that this idea may encourage people, especially young people, to be violent themselves.

Movies and Television

The American Psychological Association says that by the seventh grade, the average American will have watched on television 8,000 murders, plus another 100,000 acts of violence. Does watching this much violence make Americans more prone to violence? In 1972, the U.S. Surgeon General, the highest medical officer in the federal government, announced that "televised violence, indeed, does have an adverse effect on certain members of our society."

In the years that followed, the National Institute of Mental Health, the Department of Justice, the American Academy of Pediatrics, and numerous scientific studies have backed up the words of the Surgeon General. Many social scientists have concluded that televised violence can contribute to antisocial behavior in children. This is particularly true when the children come from violent homes or neighborhoods. It adds to the culture of violence surrounding them. After a five-year study, the American Psychological Association reported in February 1992 that "TV violence can cause aggressive behavior and can cultivate values favoring the use of aggression to resolve conflicts."

The association has set up a Commission on Violence and Youth. Its chairman, Leonard Eron, has claimed that the "single best predictor of how aggressive a young man would be when he was 19 years old was the violence of the television programs he preferred when he was 8 years old."

But defenders of the television industry often question the conclusions of the various studies and contend that television simply reflects the level of violence in society. The causes of violence, they insist, are rooted in various social problems such as increasing poverty and unemployment. Violence in entertainment, as they see it, is being made a scapegoat for society's problems. Rather than limit broadcasters' rights to provide popular and profitable entertainment, industry advocates suggest that parents should take the responsibility to control what their children are watching.

Advocacy organizations have been fighting for years to limit violence in the media. Despite the industry's denial of any blame, the major networks agreed in the early 1990s to cut back on the amount of violence shown and to put warnings on violent programs. Surveys of network television demonstrate that violence in primetime has been greatly reduced. The networks also agreed to begin a voluntary rating system for television programming. It is hoped that this system with give parents guidance in protecting children from violent content.

But the television networks are no longer the only players in the TV game. With the growth of cable television, home video, and video games, far more violent material is now available. And the violence seems to be escalating. The 1988 movie "Die Hard," for example, had 18 murders. Its sequel, "Die Hard 2," had 264. Because of the constitutional protections of free speech, the government has little or no ability to regulate movies.

Violence also has crept into song lyrics, which often describe murders, suicides, and rapes. Critics of "rap" music are particularly concerned. They feel that rap artists often portray violence and glorify the gang lifestyle in their songs and music videos. Defenders of the genre argue that the music is simply an artistic vision of the reality of the streets. They also argue that they are being singled out for criticism when mainstream rock and roll also carries anti-social messages.

Given the role the media play in our society, it is likely that the debate over its effect on violence will continue for many years to come.

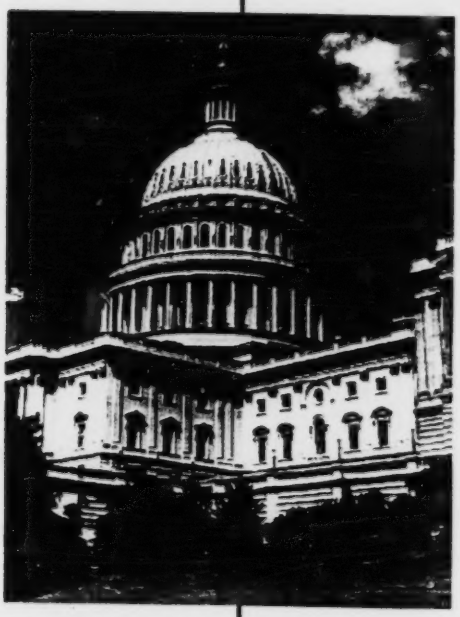
POINTS OF INQUIRY

1. What is a risk factor? How does it help explain violent behavior?
2. What evidence is there that poverty and joblessness promote violence?
3. If child abuse rates were high in the 1990s, what might you predict about rates of violence in the 2010s? Why?
4. Do alcohol and drug use contribute to violent behavior? Why?
5. Do you think violence in the media contribute higher rates of violence in society? Why or why not?
6. In addition to those factors mentioned in the article, what other factors might contribute to violent behavior or crime?

CHAPTER 2

LAW AND PUBLIC POLICY

Over the last few years, America has been engaged in a great debate about the legitimate role of government in our society. However, almost everyone agrees that government at all levels has the primary responsibility for assuring that citizens are protected from the ravages of violent crime. There is less agreement about what government can or should do about the problem.



Government plays a major role in keeping citizens safe.

In this section, you will examine some of these debates and be encouraged to form your own opinion about the issues presented.

First, we put the questions in their constitutional context. What power does the Constitution and its Bill of Rights give government to solve the problems of violent crime and what are its limits? Next we enter the legislative debate between those who favor policies designed to "get tough" on violent criminals and those who favor prevention strategies. Finally, we examine specific policies proposed for combatting the problem in our communities and in our schools–gun control, curfews, and school uniforms.

Government's Role in Fighting Violent Crime

In the Preamble to the U.S. Constitution, the founders cite the important purposes of government. Among them is to "assure domestic tranquility." The founders recognized that keeping the peace is an important function of government. Each branch and level of government in our federal system play vital roles in protecting citizens from crime and violence.

At the federal level, the U.S. Constitution divides the power of government into three distinct branches–the executive, legislative, and judicial. As head of the executive branch, the president enforces federal laws, appoints federal judges, and supervises executive departments. The department charged with fighting violent crime is the Department of Justice. Headed by the Attorney General, the department handles most federal crime investigations and prosecutes all federal cases.

The legislative branch–the U.S. Congress–passes federal criminal laws, such as those against kidnapping and bank robbery. It also makes laws for areas outside the jurisdiction of state governments, such as the District of Columbia, federal forests, military bases, and ships at sea or airplanes in the sky. Congress also creates agencies to study and reduce violent crime. For example, Congress funds the Federal Bureau of Investigation (FBI) and the Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP). The role of the latter agency is to "improve the quality of juvenile justice in the United States." OJJDP allocates federal funds and coordinates programs to reduce juvenile violent crime.

The judicial branch–the federal court system–consists of three basic levels. At the lowest level, the district courts handle federal criminal trials. If a defendant is convicted in a trial court, the defendant may appeal to the next level of courts–the courts of appeals. There are 12 of these courts, each having jurisdic-

tion over a particular part of the United States. On the highest level is the U.S. Supreme Court. It hears appeals from decisions of the courts of appeals. It also can hear appeals of state supreme courts' decisions on issues of U.S. constitutional law. The Supreme Court chooses which appeals it will hear. Appealing parties petition for a hearing in a document called a *writ of certiorari*. If four of the nine justices agree, the court grants the writ and will hear the case. Otherwise, the writ is denied and the Supreme Court will not hear the case.

In making their decisions, appeals courts and the Supreme Court do much more than resolve single cases. They set precedents—or general rules that courts follow. They interpret what the Constitution and other federal laws mean. Their decisions can actually overturn laws if they conflict with the Constitution.

In our system, most of the responsibility for handling violent crime falls on state and local governments. Like the federal government, state governments are divided into three branches—executive, legislative, and judicial. State legislatures define crimes and pass other crime bills, which the governor signs into law. The governor directs state police agencies and the state prison system, which houses felony offenders.

State appellate courts handle the appeals of convicted defendants. Most states have two levels of appeals courts—an intermediate level and the state supreme court. If a state supreme court hears an appeal, it has the last word on interpretations of state law and the state constitution. To appeal to the U.S. Supreme Court, defendants must claim that rights guaranteed by the U.S. Constitution have been violated.

Local government stands on the front lines in the fight against violent crime. Most often, it is local police who arrest suspected violent offenders and take them to local jails. Police departments fall under the executive branch of county or city government. They are usually headed by either an appointed police chief or an elected commissioner.

Most local governments have a council form of government. The council writes laws and sometimes executes them as well. But often there is a separate executive branch, headed by a county executive, mayor, or city manager.

Although the state legislature enacts all serious, or felony, crimes as well as most misdemeanors, local governments still play an important role in policy making on violent crime. They oversee police departments and local jails. They can enact measures aimed at curbing violent crime, such as curfews, gun control laws, and misdemeanor criminal

WHO'S GOT THE POWER?

The three branches of government—at all levels of government—have these basic powers to deal with violent crime:

Executive Power	Legislative Power	Judicial Power
• prevent and investigate crimes	• write and enact laws	• judge cases
• arrest suspects	• define crimes	• sentence offenders
• supervise punishment	• hold hearings on legislation	• review lower courts
• prosecute criminal defendants	• set range of punishments	• establish precedents
• set enforcement priorities	• establish and fund agencies to deal with violent crime	• review actions of other branches
• run agencies dealing with violent crime	• approve judicial appointments	
• appoint judges	• see that executive carries out law	

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A Matter of Policy

Most people and all organizations adopt policies to deal with problems or situations. A policy is a plan or course of action. It's a set way of handling things. For example, a teacher might have a policy of not accepting any late homework. A business might have a policy of matching its employees' contributions to charity.

Many organizations adopt policies to address the problem of violence. A convenience-store chain, for example, might have a policy of making its check-out stands easily visible from the street, so any robber will have to risk being seen by passersby. A business might have a policy of escorting its employees to the parking lot to prevent attacks. A school district might have a policy of expelling any student caught with a gun.

Like any organization, governments adopt policies. These are known as public policies. Governments have public policies to deal with various problems, including violent crime.

Many public policies are translated into laws. For example, a city experiencing a rash of armed robberies at night might pass a curfew. Or the state legislature, responding to the same problem, might enact a use-a-gun, go-to-jail law. And the federal government might enact a waiting period on the purchase of handguns. Each is a public policy, enacted into law, with the same purpose—to curtail gun violence.

Some policies deal with how laws are enforced. A police force might decide to ignore the city curfew. A prosecutor's office might vigorously prosecute all felons who use a gun. Federal officials might selectively enforce the waiting period.

Courts can affect policies. A judge might rule that the curfew does not apply equally to all citizens and therefore violates the 14th Amendment's equal protection clause. A state appeals court might interpret that the use-a-gun law does not apply to a bank robber who happened to have a gun hidden under his car seat. The Supreme Court might rule on whether the waiting period violates the Second Amendment's right to bear arms.

In short, all three branches of government—legislative, executive, and judicial—deal with policies on violent crime. As do all levels of government—federal, state, and local.

As a citizen, you'll be asked to decide policy issues dealing with violence. Voters in California, for example, recently voted on a "three strikes" ballot initiative, which mandated long jail sentences for career criminals. Candidates for political office—at all levels—state their positions on policies on violent crime.

In looking at policies and policy proposals, it's helpful to analyze them in terms of costs and benefits. Costs are drawbacks as well as monetary costs. For example, the costs of a curfew law may include restrictions on young people's freedom of travel, the costs of enforcement by police, and the loss of sales by businesses. The benefits may be that crime will be reduced and that fewer young people will be injured or get into trouble. To predict benefits and costs, it's often helpful to see what has happened in other communities that have tried the policy proposal.

ordinances. They can also develop community-based programs to prevent violent crimes.

People accused of crime stand trial in local courts. Most violent crimes are felonies, or serious crimes. Felony trials take place in county courts, usually called superior, district, circuit, or general-sessions courts.

SNIPER ATTACK: THE SYSTEM RESPONDS

Imagine that a city has recently suffered a series of sniper attacks on cars along a section of freeway. Car windows have been smashed and several motorists have lost control of their cars, causing accidents. So far, seven people have been seriously injured. The crimes

have occurred late at night. Witnesses have spotted young people with pellet or BB guns on freeway overpasses. The incidents have gained national attention in the media and several cities across the country have reported copycat sniper attacks.

What might government do? First of all, police agencies would respond. Aside from investigating the incidents, local police might step up patrols on the freeway and overpasses. Since the crime took place on a freeway, the state highway patrol might send investigators and more patrol officers. Even federal police agencies might get involved. Local police could send evidence and partial fingerprints to the FBI's crime lab for analysis. The FBI might send agents to see if any federal laws have been violated.

Meanwhile, city hall would come alive. The mayor might call for more officers on the police force. City council might consider measures to keep young people off the streets at night or to restrict the sale of pellet guns.

The state government would also take action. The legislature might increase penalties for armed assaults. The governor might even propose making firing at cars a specific crime.

Since several cities across the country have reported sniper outbreaks, the federal government would take an active interest. Because it has the power to regulate interstate commerce and travel, Congress might hold hearings on making sniping at cars a federal crime. The attorney general could ask the Bureau of Justice Statistics to start keeping track of sniper attacks. Because the attacks involve young people, OJJDP might start researching the problem.

Once police arrest suspects and take them to county jail, more agencies would enter the case. If it turns out that police have arrested a band of 17-year-olds, it's possible that they would be tried in juvenile court—part of a separate justice system for offenders under 18. But, unless their previous records were spotless, this probably would not happen. Because of the violent nature of the crime, the young suspects would likely be tried in the adult system in most jurisdictions.

If so, a prosecutor in the county district attorney's would try the case before a superior court judge and jury. If the suspects could not afford attorneys, the court would appoint separate attorneys for each. One of the attorneys appointed would come from the county public defender's office, which defends indigent defendants.

Police officers sift through evidence at a crime scene

If the defendants were convicted, then the judge, following state law, would sentence them—probably to a term in state prison. The defendants could appeal their convictions for a number of reasons. They might argue that the police didn't advise them of their rights before they confessed or that the judge didn't apply the law correctly. They might even argue that the law itself violates the U.S. Constitution. The defendants would begin serving their sentences while their appeal goes first to a state appeals court and then to the state supreme court. Their appeal could even go to the U.S. Supreme Court. Unless an appeals court overturns the conviction, the defendants will serve their entire term in prison unless the state parole board decides they should be released early.

As this case illustrates, many governmental agencies—at all levels of government—are involved in fighting violent crime. Depending on the case, many different agencies may become involved. Our federal system of government is complex, but it also offers many opportunities for different layers of government to intervene and control violent crime.

POINTS OF INQUIRY

1. What are the basic roles of the executive, judicial, and legislative branches in fighting violent crime?
2. What are some examples of executive crime-fighting agencies at the federal level? The state level? The local level?
3. How can a criminal case, tried in a state court, reach the U.S. Supreme Court?
4. What do you think are the advantages of having a federal form of government for crime fighting? What are the disadvantages?

Protecting Individual Freedoms

There are many things we could do to control violent crime that we don't and won't do. We could, for example, let police search entire neighborhoods at random for illegal weapons. Or we could do away with trials and allow police to throw in prison anyone they think is dangerous. Indeed, if we turned the United States into a police state, it would probably be a safer place. Most police states have low rates of violent street crime. But the price would be our freedom. This is a price most Americans would not be willing to pay.

The Bill of Rights guarantees basic freedoms for all Americans.

So our solutions to violent crime will have to respect American freedoms. Most of these freedoms are written into the U.S. Constitution in the Bill of Rights, the first 10 amendments to the Constitution. The U.S. Supreme Court interprets the meaning of these rights in cases brought before it.

Few rights are absolute. Most must be balanced against conflicting rights or the interests of society. The court decides the extent of each right on a case-by-case basis. Over time, after many Supreme Court decisions, a rich, complex body of constitutional law has developed.

ORIGINAL CONSTITUTION

While the Bill of Rights spells out most of our rights, the Constitution itself contains several important protections that affect how we deal with violent crime. The writ of habeas corpus, for example, keeps police from holding people in jail without a legal reason. (In Latin, habeas corpus means "you have the body.") The writ is a court order directing anyone holding a person in custody to justify that detention before a judge. If the person's detention cannot be justified, then the person must be released.

The Constitution also prohibits legislatures from punishing people without trials. No legislature can pass, for example, a law sentencing a person to prison for murder. Such a law is a bill of attainder. These laws were common in 17th-century England, but modern legislators dealing with violent crime cannot enact them.

Nor can a legislature make illegal something that has already happened or increase the penalty for a crime after it has been committed. These are ex post facto laws. "Ex post facto" is Latin for after the fact. The Constitution strictly forbids these types of laws. For a criminal to be punished under a law, it must be in place before the criminal acts.

14TH AMENDMENT

Before examining the Bill of Rights, the first 10 amendments to the U.S. Constitution, it's best to discuss the 14th Amendment. The reason is simple. Originally, the Bill of Rights only protected citizens from the federal government. The First Amendment, for example, says "Congress shall make no law. . . abridging the freedom of speech. . . ." The First Amendment and the rest of the Bill of Rights did not apply to state laws. The 14th Amendment changed that.

After the Civil War, the 14th Amendment was added to the Constitution. Its due process clause declares that no state shall "deprive any person of life, liberty, or property, without due process of the law . . . ." This means that states cannot deprive people of certain rights. But what rights does the 14th Amendment include?

In the 1930s, the Supreme Court ruled that the clause incorporates those guarantees in the Bill of Rights that are "rooted in the tradition and conscience of our people." Since that time, the Supreme Court on a case-by-case basis has decided that the 14th Amendment incorporates most rights in the Bill of Rights. (See chart.)

The 14th Amendment also contains another important clause guaranteeing everyone equal protection of the laws. This means that no law

RIGHTS INCORPORATED BY THE 14TH AMENDMENT

RIGHT	AMENDMENT	SUPREME COURT DECISION	DATE
Freedom of Speech & Press	First	*Gitlow v. New York*	1925
Defense Counsel in Capital Cases	Sixth	*Powell v. Alabama*	1932
Free Exercise of Religion	First	*Hamilton v. Regents of U. of Calif.*	1934
Freedom of Assembly & Petition	First	*DeJonge v. Oregon*	1937
Freedom from Establishment of Religion	First	*Everson v. Board of Education*	1947
Public Trial	Sixth	*In re Oliver*	1948
Protection Against Unreasonable Searches and Seizures	Fourth	*Mapp v. Ohio*	1961
Protection from Cruel & Unusual Punishments	Eighth	*Robinson v. California*	1962
Defense Counsel	Sixth	*Gideon v. Wainwright*	1963
Privilege Against Self-Incrimination	Fifth	*Malloy v. Hogan*	1964
Confrontation of Witnesses	Sixth	*Pointer v. Texas*	1965
Impartial Jury Trial	Sixth	*Parker v. Gladden*	1966
Speedy Trial	Sixth	*Klopfer v. North Carolina*	1967
Compulsory Process in Obtaining Witness	Sixth	*Washington v. Texas*	1967
Trial by Jury	Sixth	*Duncan v. Louisiana*	1968
No Double Jeopardy	Fifth	*Benton v. Maryland*	1969

or governmental policy may discriminate against a person on the basis of race or national origin.

FIRST AMENDMENT

This amendment contains many freedoms vitally important to a democracy, among them the rights to free speech and to peaceably assemble. Although these rights do not directly deal with the rights of criminal defendants, they are so basic and wide-ranging that they can affect many policies, including those dealing with criminal violence. Consider these examples:

- Some regard violence in the media as a cause of violent behavior in America. They propose curbing media violence.
- Gang violence has taken a terrible toll on our nation's cities. From time to time, people propose outlawing gang membership or barring gang members from gathering in public places.

These proposals raise First Amendment issues. Would putting restrictions on media violence violate the right to free speech? Does banning gang members from a public place violate their right to peaceably assemble? These are questions policy makers, and ultimately perhaps a court, would have to deal with.

Peaceful gatherings, like this civil rights march, are protected by the First Amendment to the U.S. Constitution.

SECOND AMENDMENT

The Second Amendment contains the right to keep and bear arms. Its first clause refers to a "well regulated Militia, being necessary to a free State." Unlike the other amendments discussed here, the Second Amendment has received little attention from the Supreme Court. Only once in the 20th century has the Supreme Court ruled on it. In 1939, the court brushed off a Second Amendment challenge to a federal law banning sawed-off shotguns. Since that time, the Supreme Court has refused to hear any Second Amendment cases. The federal appeals courts have consistently upheld gun control legislation, including a city ordinance banning possession of handguns.

FOURTH AMENDMENT

The Fourth Amendment governs police searches, evidence gathering, and arrests. It protects people from "unreasonable searches and seizures." In general, police must have "probable cause" before making an arrest, conducting a search, or taking evidence during a search. This means they must have evidence showing that a crime has been committed or is about to be committed and that the person, place, or thing to be searched or seized is related to that crime.

For most searches, the Supreme Court has ruled that police first must satisfy a judge that they have probable cause. The judge will then issue a search warrant, giving police permission to conduct the search. If police conduct an illegal search, the evidence they seize cannot be used at trial.

The Fourth Amendment puts severe restrictions on police. Police cannot arrest people because they look suspicious. Police cannot sweep through neighborhoods plagued with violent crime and search houses at random. They need probable cause, and for many searches, they also need a warrant.

FIFTH AMENDMENT

The Fifth Amendment contains several clauses protecting the rights of criminal defendants. It has a due process clause, which the 14th Amendment's due process clause is based on. This requires that all proceedings against an individual be fair.

Another clause protects against double jeopardy. In general, this means that a person cannot be tried twice for the same crime if criminal proceedings have reached a certain point. Defendants, however, could face prosecution in another jurisdiction. For example, a person found not guilty in a state court could be prosecuted by federal authorities if a federal law also has been broken.

The most famous clause in the Fifth Amendment guarantees the privilege against self-incrimination. It says that no person "shall be compelled in any criminal case to be a witness against himself. . . ."

The Supreme Court has long recognized the importance of ensuring that confessions are truthful and not the result of police coercion. Even before it ruled that the Fifth Amendment applied to the states, the court struck down cases where confessions were not made voluntarily.

After the Supreme Court ruled that the privilege against self-incrimination applied to the states, the courts still faced the difficult task of determining on a case-by-case basis whether confessions were voluntary. So in 1966, in the landmark case of *Miranda v. Arizona*, the Supreme Court laid down clear guidelines for police and courts to follow.

In *Miranda*, the Supreme Court decided that any interrogation of suspects in custody is unconstitutional unless the police clearly tell suspects before any questioning begins that they have the right to remain silent and to have a lawyer present during any questioning. If suspects do not waive these rights, nothing that they say can be introduced as evidence against them at their trials.

In short, the Fifth Amendment affects how police and prosecutors may treat criminal suspects, including those who may have committed violent crimes. It mandates fair procedures, outlaws double jeopardy, and places restrictions on confessions.

THE U.S. CONSTITUTION

Below are excerpts from the U.S. Constitution that may affect policies and policy-making on violence.

Article I, Section 9, Clause 2 *The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.*

Article I, Section 9, Clause 3 *No Bill of Attainder or ex post facto Law shall be passed.*

First Amendment *Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble . . . .*

Fourth Amendment *The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to seized.*

Fifth Amendment *[N]or shall any person be subject of the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law . . . .*

Sixth Amendment *In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury . . . and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him . . . and to have the Assistance of Counsel for his defence.*

Eighth Amendment *Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.*

14th Amendment *. . . No State shall . . . deprive any person of life, liberty, or property, without due process of the law; nor deny to any person within its jurisdiction the equal protection of the laws.*

SIXTH AMENDMENT

The Sixth Amendment deals with the prosecution of criminal defendants. Any proposal to reform or change criminal prosecutions must not conflict with this amendment.

The amendment lists several courtroom rights of defendants, such as the right to an immediate trial, the right to a trial open to the public, and the right to cross-examine the prosecution's witnesses in court.

It includes the right to a trial by jury. The jury must be impartial. This means that jurors must be selected in a way that does not discriminate. The Supreme Court has recently held that attorneys may not turn down jurors because of their race or sex.

The Sixth Amendment also gives defendants the right to legal counsel. In the 1963 case of *Gideon v. Wainwright*, the Supreme Court ruled that this right applied to the states. It also required that courts appoint attorneys for defendants who cannot afford them. Later cases ruled that criminal defendants are entitled to counsel at any "critical stage" in the trial process. This means criminal suspects have the right to an attorney at line-ups, interrogations by police, and pretrial hearings as well as the trial itself.

EIGHTH AMENDMENT

The Eighth Amendment forbids cruel and unusual punishments. Any proposal calling for harsh punishments has to meet Eighth Amendment standards. The amendment clearly forbids punishing prisoners with torture,

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maiming, injuring, branding, or other barbaric practices.

The Supreme Court has wrestled with the issue of the death penalty. It has struck down as too harsh and rigid laws making the death penalty mandatory. It has upheld death penalty laws as long as they have consistent standards and allow for a jury to weigh reasons for and against executing the convicted criminal.

Most Eighth Amendment cases today concern prison conditions. With the rapid rise in incarceration and calls for even more increases, many prisons are overcrowded. The Supreme Court has ruled that overcrowding in itself does not violate the Constitution. But dangerous, unfit conditions do violate the Eighth Amendment. Many prison systems are under federal court orders to improve conditions.

POINTS OF INQUIRY

1. What important rights and protections are contained in the original Constitution?
2. Why is the 14th Amendment important to the Bill of Rights?
3. What types of anti-crime proposals might be affected by the Second Amendment? By the Eighth Amendment? By the First Amendment?
4. How are police limited by the Fourth and Fifth Amendments?
5. To control violent crime, do you think we should sacrifice some of our rights? Why or why not?

Getting Tough on Violent Crime

The American public overwhelmingly favors getting tough on violent crime. Recent polls show that more than 80 percent of the public support measures such as mandatory minimum sentences and "three strikes and you're out." These measures are designed to put more criminals behind bars for longer periods of time. Get-tough measures are clearly popular. Are they good policy?

Supporters of get-tough measures, such as American Legislative Exchange Council (ALEC), think so. ALEC is a non-profit bipartisan membership organization for conservative state legislators. In the foreword to its 1994 *Report Card on Crime and Punishment*, former U.S. Attorney General William P. Barr emphasizes that *"getting tough works."* He says that "increasing prison capacity is the single most effective strategy for controlling crime."

The ALEC report goes on to explain why. It documents that the violent crime rate in 1992 was almost five times higher than that of 1960. The report blames this increase on the failure of states to lock up greater numbers of violent criminals. It notes that until 1975, despite increasing violent crime, the actual number of inmates in state prisons fell. In 1960, state prison inmates numbered 190,000. By 1974, the number had dropped to 174,000. According to the report, incarceration dropped because officials were experimenting with alternatives to prison.

The report says that, responding to public demands, state legislatures in the 1970s started adopting mandatory sentencing laws. These laws required judges to sentence certain offenders to prison. By 1975, the number of prisoners started climbing and has been climbing steadily ever since. By 1995, the total number of inmates in state and federal jails and prisons had grown to almost 1.6 million.

Because of this new trend in incarceration, says the report, some progress has been made in reducing violent crime. The report attributes the falls in violent crime in the early 1980s and 1990s to the rise in incarceration. In the words of former Attorney General Barr, "the

eighties worked and the sixties didn't. It doesn't take a rocket scientist to decide which path to follow."

WHY INCARCERATION WORKS

Supporters of get-tough policies give two reasons why increased incarceration works. First, it *deters* others from committing violent acts. When people realize that they will go to prison for a long time, they think twice about committing a violent crime. But even staunch advocates of get-tough policies admit that deterrence is difficult to document. So most cite the second reason: Locking criminals up keeps them from committing crimes. This is known as *incapacitation*. By some estimates, the average violent street offender commits 12 crimes a year. If the offender is in prison, this saves the public from 12 violent crimes.

Moreover, studies indicate that a small percentage of offenders commit more than 50 percent of all violent crimes. If these offenders could be imprisoned, the nation would experience a significant drop in violent crime.

But thus far this has not happened. Supporters of get-tough policies attribute this to the "revolving-door" policies of the criminal justice system. In the words of a 1996 report issued by the Council on Crime in America, a bi-partisan group co-chaired by Griffin Bell, the Carter administration's attorney general, and William Bennett, the Reagan administration's drug czar:

"About one-third of all persons arrested for a violent crime (murder, rape, robbery, assault) are on probation, parole, or pretrial release; the vast majority of convicted criminals are not incarcerated; barely one criminal goes to prison for every 100 violent victimizations; and most violent prisoners serve less than half their time behind bars before being released. Most prisoners are violent or repeat criminals."

POLICIES FOR GETTING TOUGH

This "revolving door," say advocates of getting tough, must be closed. So they support policies that will send more convicted felons to prison and make them serve longer sentences. These are policies such as:

Mandatory sentencing. Mandatory sentencing laws require judges to sentence offenders to prison terms. Almost every state has passed mandatory sentencing laws for certain situations, such as repeat-offender laws and use-a-gun, go-to-jail laws. Usually, a judge has no option but to impose the mandatory sentence and cannot shorten it, suspend it, or give an alternative sentence. The federal Anti-Drug-Abuse Act of 1986 sets many mandatory minimum sentences for drug offenses. It allows no exceptions for first offenses or other factors.

Two inmates on death row play chess between their cells.

Three strikes and you're out. This crime-control strategy targets career criminals. It mandates a lengthy or life-prison term for a third felony conviction. The federal government and some 15 states have adopted versions of the three-strikes law. The three-strikes provision in the federal law requires that the three convictions must be for *violent* felonies. In some states, the convictions can be for *any* felony. L.A. County District Attorney Gil Garcetti has stated that he believes California's law was passed because the citizens of the state were "tired of a system that had a prison revolving-door policy that did not punish or deter. . . ." California's three-strikes law requires three-time losers to face a prison term of 25 years to life.

Truth in sentencing. These laws attempt to reduce or eliminate parole. Before the end of a sentence, most convicts are released into the community on parole under the supervision of a parole officer. In many cases, they are put on parole after serving less than half their sentence. Truth in sentencing laws force convicts to serve close to their full sentences. Since 1987, the federal government has adopted truth in sentencing. All federal convicts must serve at least 85 percent of their sentence. The 1994 and 1995 federal crime bills offered prison construction aid to states that adopt truth in sentencing laws similar to the federal law. Arizona, Missouri, and Virginia

GARY GILMORE AND CAPITAL PUNISHMENT

In 1976, a repeat felon named Gary Gilmore brutally shot and killed two Brigham Young University students in a Provo, Utah, service station. On the surface, the random murder of the two young Mormons made no sense. The killer didn't know his victims. He did not try to rob them.

Gary Gilmore killed the two men shortly after being paroled from a high-security federal penitentiary in Marion, Illinois. He had spent all but two and one-half years of his adult life behind bars. Gilmore's history of violence began with early childhood. Gilmore's father, Frank Sr., was a moody, hard-drinking hustler who drifted from town to town and job to job, dragging his family with him. As long as the big man had strength in his body, he beat his wife and children savagely.

After he was convicted, Gilmore fought for his right to die. He tried to fire his attorney for trying to reduce his death sentence to life imprisonment. Gilmore openly expressed hatred and contempt for his younger brother who joined death penalty opponents in an attempt to stay the condemned man's execution.

On January 17, 1977, Gary Gilmore was led into a warehouse at the Utah State Prison. The doomed murderer raised his eyes to the death room's dark ceiling. "Let's do it," he said. Prison officials strapped Gilmore in a chair and placed a black hood over the killer's head. A physician used a stethoscope to determine the exact location of Gilmore's heart and marked the spot with a square of red cloth. Moments later, four 30-caliber rifle slugs tore into Gilmore's chest.

Gilmore went to his death without revealing any motive for his capital crime. According to criminologist G. Richard Strafer and writer Norman Mailer, Gilmore may have murdered his two innocent victims in order to get himself executed.

Gilmore's 1977 execution ended a 10-year hiatus on capital punishment in the United States and gave rise to other unsettling questions: What is the impact of the death penalty on the nation's homicide rate? Does the state have the moral authority to take a human life? Does capital punishment deter future violence or does it add fuel to the fire of an already violent society? And finally, was Gary Gilmore a ghoulish aberration, or can the death penalty motivate people to commit murder and mayhem in the hope that the state will end their lives for them?

have already passed such laws. More states will soon follow.

CRITICS OF GETTING TOUGH

With these policies in place, according to supporters of getting tough, the crime rate will sharply drop. Critics doubt this. The critics see the need to incarcerate dangerous criminals. But they point out that the get-tough policies will not just imprison dangerous offenders. Three strikes will send non-dangerous repeat offenders to prison and mandatory sentences have already flooded prisons with non-dangerous drug offenders. Studies have shown that most criminals commit violent crimes between the ages 15 and 24. As they get older, fewer and fewer commit violent acts. But, say the critics, with longer sentences, we will have to build many additional prisons just to house non-dangerous, aging prisoners. Because of increased medical and other expenses, it costs more to house older prisoners.

The critics say that the get-tough policies will swamp the criminal justice system. It costs,

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PROFILE

Mike Reynolds and the California Three Strikes Initiative

Eighteen-year-old Kimber Reynolds was about to leave a Fresno, California, restaurant on a hot June night in 1992 when two armed robbers roared up on a motorcycle. Shots were fired, and Kimber Reynolds slumped to the ground, bleeding from a critical head wound. For a time, the Fresno teen-ager survived in a coma, clinging to life with the aid of machines. When doctors finally shut down her life support systems, her father, Mike Reynolds, promised to wage war on repeat violent offenders.

Mike knew his war had to be fought in the courtroom. His "get tough" strategy would have to be framed in legal terms. Mike Reynolds was a photographer, not a lawyer. He would need help from lawyers, prosecutors, and judges to draft strict new sentencing guidelines. But the loss of his daughter made Mike Reynolds a very determined man. He decided to find a way to draft a bill that could be pushed through the California legislature. With help from friends and acquaintances, he steadily built the contacts he needed to create a bill aimed at habitual criminals.

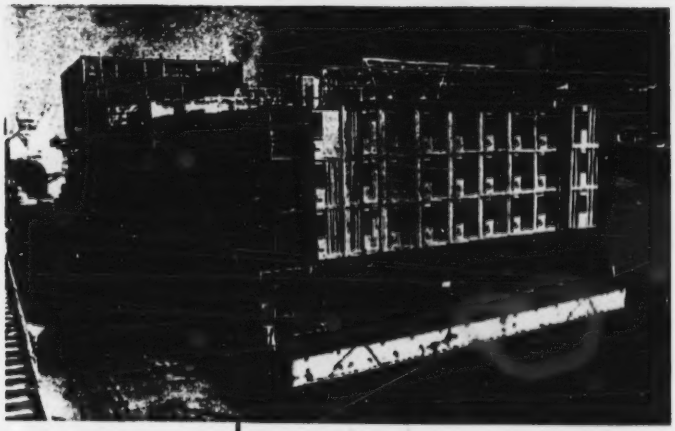
Reynolds' "three strikes and you're out" legislation was designed to put habitual criminals behind bars and keep them there. Under three strikes, criminals convicted of one felony get double-length prison terms if they are convicted again. Criminals who commit a *third* felony will receive sentences three times as long or 25 years to life, whichever is longer. Violent felonies listed in three strikes include murder, rape, attempted murder, armed robbery, hard drug sales to minors, and residential burglary.

Reynolds' three-strikes bill was endorsed by the California legislature. But even after California's Governor Wilson signed the bill into law, Reynolds continued to work tirelessly. He believed that some politicians would respond to criticism that the bill was poorly worded and ambiguous. For example, more than 500 felonies fall inside the strict 25-to-life sentencing guidelines, including such common crimes as petty theft and passing bad checks. Judges could not reduce the penalty. Critics say Reynolds' get tough strategy could result in thousands of petty criminals being sent to prison for decades.

Reynolds did not want judges or legislators to soften the impact of the three-strikes law. He raised money and campaigned to have a three-strikes initiative put on the 1994 California ballot. If the voters approved a three-strikes initiative, he reasoned, the legislature will be less inclined to water it down. Reynolds believes that those who argue for softening three strikes "just don't understand." He is convinced that three strikes will succeed only if it leaves no loopholes, no exceptions. "When you draw a line in the sand and say, 'No more Mr. Nice Guy,' the criminals seem to understand," says Reynolds. In November 1994, California voters approved Proposition 184, reflecting a desire to get tough on repeat offenders, especially violent ones.

A study conducted by the state Department of Justice reports that California homicide dropped 11.4 percent in the first six months after three strikes was implemented. While most experts said it was too early to explain the drop in crime, Reynolds was convinced that three strikes was doing its job. He answered objections to the added expense of locking up thousands of three-strikes criminals by saying that the state will save money in the long run because medical bills, lost wages, and property damage all cost by violent crime will decrease as more and more repeat offenders end up behind bars. "Give it a chance to work," he demands. "Give this five years to do what we say it will."

In June 1996, the California Supreme Court voted unanimously that judges could use their own discretion in imposing the 25-to-life prison terms required by the three-strikes law. Reynolds is pushing for legislation to give judges less discretion.



This barge has been refitted to serve as a jail and ease overcrowding at New York's Riker's Island.

depending on the state, from $8,000 to $55,000 to lock up a prisoner for one year. This does not include the cost of building the prison. We already imprison 1.6 million people, costing more than $20 billion annually. We can't keep locking up more and more non-dangerous as well as dangerous offenders, say the critics, because we can't afford it. Moreover, they point out, as sentences get harsher, fewer defendants will plead guilty. Today, more than 90 percent of all criminal defendants plead guilty. Critics say more defendants are going to ask for trials, which will clog the courts.

Further, the critics argue, the get-tough policies cannot reduce crime because they don't even touch most crime. The critics cite the Council on Crime in America's figure that "barely one criminal goes to prison for every 100 violent victimizations." The council cited this as evidence of "revolving-door justice." The critics have a different explanation. Only three-tenths of all violent crimes are reported to the police. Of the reported crimes, only three-tenths result in arrests. Of those arrested, one-fourth are tried, found guilty, and sent to prison. According to the critics, this shows how little impact the criminal justice system can hope to have over violent crime.

Finally, the critics find fault with the claim that get-tough policies caused the drop in crime in the early 1980s. If this is so, they ask, why did crime rise again at the end of the decade? They believe crime took off in the 1960s because baby boomers (the large segment of the population born between 1946 and 1964) started turning 15, the age at which many criminal careers begin. They expected crime to fall in the 1980s because the boomers were getting past age 24, when most criminals cut back on violent behavior. What surprised them was that violent crime took off at the end of the '80s. They attribute this to the emergence of crack cocaine in the inner cities. Getting tough did little, they say, to prevent this upsurge at the decade's end.

POINTS OF INQUIRY

1. What are the purpose of get-tough measures?
2. What are their advantages? What are their disadvantages?
3. Do you think states should enact more get-tough measures? Why or why not?

Controlling Crime Through Prevention

Since 1975, the United States has embarked on a massive crack-down on criminals. Tougher sentencing and longer terms have resulted in the greatest increase in the prison population in our history. From 1975 to 1989, the prison population more than doubled—from 240,593 prisoners in 1975 to 680,907 in 1989. By the end of 1995, there were almost 1.6 million people in our nation's prisons and jails. This get-tough strategy has undoubtedly cut down on crime. It has kept criminals locked up who otherwise would be out committing violent crimes. One expert from the Bureau of Justice Statistics has estimated that doubling the prison population from 1975 to 1989 made violent crime 10–15 percent lower than it would have been.

This does not mean crime dropped 10–15 percent in that period. Other violent criminals made up for the projected crimes of those in prison. Today, the nation is still experiencing a high rate of violent crime. What should be done about it?

Those favoring the get-tough policy believe we should get even tougher. Build more prisons, send more offenders there, and don't let them get out: These are their policy prescriptions.

Others disagree. They believe that prisons offer only a short-term answer to violent crime. In fact, they see the entire criminal justice system—police, courts, and prisons—as incapable of affecting violent crime in the long run. The criminal justice system, they explain, reacts to violent crime after it has occurred. According to them, if we are going to make a significant dent in violent crime, we must do something to prevent it from happening in the first place. In other words, they believe the answer to violent crime lies in preventing it, not reacting to it.

ATTACKING THE ROOT CAUSES OF VIOLENCE

This is not a new answer. People have long believed the solution to violent crime is to attack its roots—poverty, racial discrimination, unemployment, troubled families, and other social problems. Searching for an answer to the violent crime of the 1960s, President Lyndon B. Johnson established the National Commission on the Causes and Prevention of Violence, chaired by Milton S. Eisenhower. Issuing its final report in 1969, the commission stated that "the way in which we can make the greatest progress toward reducing violence in America is by taking the actions necessary to improve the conditions of family and community life for all who live in our cities, and especially the poor who are concentrated in the ghetto slums." The report went on to warn that "increasingly powerful social forces are generating rising levels of violent crime which, unless checked, threaten to turn our cities into defensive, fearful societies." The report called on the federal government to increase spending on social programs, such as the early childhood education program Head Start, by $20 billion a year.

Many believe the best way to reduce violent crime is to improve conditions in our nation's cities.

In 1990, the Milton S. Eisenhower Foundation, a non-profit created to follow up on the commission's work on violence, issued a report. It said that in the 1970s and 1980s the country did not heed the commission's advice, but instead followed policies that were "largely reactive" to the problem of violence, spending billions to put "more and more people behind bars" while cutting back on social spending. The report stated: "We believe it is past time to return the Commission's vision of 'massive, compassionate, and sustained' action to the forefront of the public agenda. We have tried the alternative. It has failed."

Specifically, it called on the federal government to spend $10 billion per year to:

- extend early childhood education to all eligible children.
- reform inner-city schooling.
- create a youth investment corporation to fund and assist youth empowerment and social development programs in the inner city.

PROFILE

Marc Klaas: Public Policy Advocate

On an October night in 1993, 12-year-old Polly Klaas was snatched from the bedroom of her small-town California home. She was never seen alive again. For Polly's father, Marc Klaas, the world changed overnight. When police found Polly's body two months later, Marc Klaas set out upon a crusade to eliminate all crimes against children. This powerful mission took over his life. His car-rental franchise at an upscale San Francisco hotel became a thing of the past. "Dealing with people who go crazy because their T-Bird is red instead of blue just isn't something I can deal with anymore," he said. "I just think there's really important things that have to be stressed, important issues."

The search for Polly Klaas had captured the attention of the entire nation for two months. Marc Klaas was swept up in a whirlwind of publicity. Hollywood stars offered their support, talk shows and network news programs invited him to speak, and President Clinton received him at the White House. Millions mourned the news when Polly's body was finally discovered.

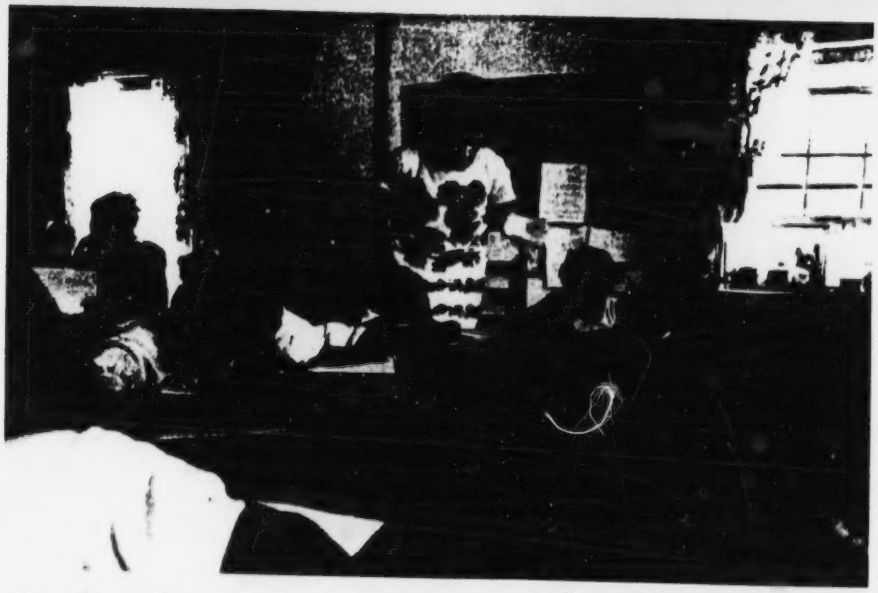
The Klaas family was embraced by victims' rights groups, many of whom were campaigning for "three strikes and you're out," a law before Congress at the time of Polly's murder. Three-strikes legislation demands prison terms of 25 years to life for any criminal convicted of a felony for the third time. Klaas endorsed three strikes in the days following the arrest of Richard Davis, a parolee with a history of repeated violent crime.

Although Klaas had endorsed three strikes and was determined that Davis be punished, he began to explore other methods of dealing with violent criminals. While many victims' rights groups and legislators were advocating increased punishment, Klaas was looking into prevention. "There's limited money," he reasoned. "And every dollar we put into a back-end approach like incarceration is money we take away from preventive measures, things that will help keep our children from becoming these types of individuals."

Even while legislators were pushing a strict three-strikes law through the California state legislature in response to Polly's murder, Marc Klaas was meeting with a coalition of law enforcement organizations, district attorneys' offices, and crime victims to advocate programs that serve at-risk youth. This coalition maintained that prevention is the most effective tool for stemming youth violence. Education, organized after-school activities, job training, conflict-resolution, and mentoring initiatives climbed high on Klaas's list of violence prevention "musts." Without government support of violence prevention measures, Klaas predicted, the nation will suffer a plague of troubled, abandoned youth who will grow up to kill and rob, creating future victims of violence.

Klaas stated that "stopping crime by building more prisons is like trying to cure death by building more cemeteries." At a time when many state and federal lawmakers were cutting funds to help at-risk youth, Klaas and his coalition were lobbying to improve the lives of the children most likely to become future juvenile offenders and adult criminals.

Years after Polly's death, Klaas found that his daughter's fate continued to dominate his thoughts and actions. His work helped him come to terms with his loss and reconcile his anger. Even so, Klaas believes he will never completely resolve his feelings. "You learn how to deal with it maybe. But you never let go."



Head Start is a preschool program that helps youngsters from economically deprived households.

- reform existing school-to-work programs.
- commit to a broad strategy of economic development that creates jobs for high-risk youth through public investment in repairing decaying urban areas and building affordable housing.
- enhance national drug control strategy by focusing on prevention and treatment.

Although this is a lot of money, the foundation argues it is well worth it. The foundation asks: "How can we find hundreds of billions to bail out the savings and loan industry–but say we cannot find a small percent of that amount per year to invest in our children and youth who are at risk?"

Thus far the federal government has not embraced these proposals. If anything, it has retreated from them. With the current emphasis on deficit reduction and ending the "era of big government," these proposals are unlikely to be adopted. Opponents tar them as "1960s programs," "Great Society programs," and "budget busters." Some critics argue that social spending over the last decades has made people dependent on welfare and has weakened families and communities. The result of this, they argue, is more crime and violence, not less.

THE PUBLIC HEALTH APPROACH

A slightly different type of violence prevention comes from public health professionals. Doctors at the Centers for Disease Control believe that America is suffering an epidemic of violence. They also believe they can do something about it.

They propose a public health approach to the problem of violence. In a 1995 article in the *National Institute of Justice Journal*, University of Washington professor David Hawkins explains how this approach works. He tells how public health officials responded in the 1970s to the problem of cardiovascular disease (heart disease and strokes). Their strategy was not to wait for people to suffer heart attacks or strokes and then treat them with expensive hospitalization, surgery, and physical therapy. Their strategy was to prevent people from getting the disease.

First, scientists researched what put people at risk for cardiovascular disease. They found several risk factors–smoking, stress, high blood pressure, a diet high in fat and cholesterol, and a family history of cardiovascular disease. All, except the last, are risks people have some control over. Then they looked for factors that seemed to protect people at risk from getting the disease. They found two–exercise and relaxation techniques. They next began waging an enormous education campaign to discourage the at-risk behaviors and promote the protective factors. Due to this ongoing campaign, incidents of cardiovascular disease have dropped almost 50 percent from 1975 levels.

Public health professionals have successfully used this approach to deal with accidental injuries, such as car accidents. They think it

will work on intentional injuries as well. The strategy uses the same three steps: (1) identifying risk factors; (2) identifying protective factors; and (3) developing programs to discourage the at-risk factors and promote the protective factors.

There are many possible risk factors for a young person becoming a violent offender—being abused or neglected, growing up in a crime-ridden, gang-infested neighborhood, having alcoholic parents, failing in school. In the same 1995 article, Professor Hawkins reviewed violence research and compiled a list of factors that put young people at risk. (See the chart on this page.) Hawkins limited his list to factors that have been identified by at least two long-term research studies. He emphasized that future research will probably confirm other risk factors.

Hawkins also listed three groups of factors that seemed to protect at-risk juveniles from becoming violent offenders. The first group included **individual factors**, such as being resilient (having the ability to bounce back from disappointments), having a positive outlook on life, being female, and being intelligent. Most of these individual characteristics cannot be changed, although recent studies have shown that intensive interventions early in life can raise a person's IQ by 30 points.

Risk Factors and Their Association With Behavior Problems in Adolescents

RISK FACTORS	ADOLESCENT PROBLEM BEHAVIOR: Substance Abuse	Delinquency	Teen Pregnancy	School Drop-Out	Violence
Community					
Availability of Drugs	X				
Availability of Firearms		X			X
Community Laws and Norms Favorable Toward Drug Use, Firearms, and Crime	X	X			X
Media Portrayals of Violence					X
Transitions and Mobility	X	X		X	
Low Neighborhood Attachment and Community Disorganization	X	X			X
Extreme Economic Deprivation	X	X	X	X	X
Family					
Family History of Problem Behavior	X	X	X	X	
Family Management Problems	X	X	X	X	X
Family Conflict	X	X	X	X	X
Favorable Parental Attitudes and Involvement in the Problem Behavior	X	X			X
School					
Early and Persistent Attitudes and Involvement in the Problem Behavior	X	X	X	X	X
Academic Failure Beginning in Elementary School	X	X	X	X	X
Lack of Commitment to School	X	X	X	X	
Individual/Peer					
Alienation and Rebelliousness	X	X		X	
Friends Who Engage in a Problem Behavior	X	X	X	X	X
Favorable Attitudes Toward the Problem Behavior	X	X	X	X	
Early Initiation of the Problem Behavior	X	X	X	X	X
Constitutional Factors	X	X			X

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The other two groups of protective factors offer more opportunity for change. One is **bonding with an adult**—a parent, relative, teacher, clergy member, social worker, or family friend. If a young person has a strong connection with an interested adult, this can help guide the person away from violence.

The final protective factor is having **healthy beliefs and clear standards**. Young people get these from the adults in their life. Hawkins cites examples of clear standards as demanding good performance in school, prohibiting drug and alcohol use, and frowning on inappropriate behavior. Healthy beliefs about school, drugs, and behavior grow from these standards.

Using the public health approach, hundreds of community-based prevention programs have been developed. Because it's important to stop behavior problems early, some programs focus on preschoolers, preparing them

Community Policing

The police, it is commonly thought, form the "thin blue line" that protects citizens from violent crime. They investigate crimes, arrest and jail suspects, and patrol dangerous neighborhoods. With America's high rate of violent crime, policing takes on particular importance.

Many police departments depend on officers in patrol cars to keep the peace. This form of mobile, incident-based policing focuses on getting police officers to respond quickly to crime reports. Officers in patrol cars can rapidly respond to emergency calls over the radio. This type of policing allows a few officers to cover a large area, but provides officers with little contact with the community, except when arresting suspects or investigating crimes. Some people believe this form of law enforcement creates a bitter "us and them" feeling between the police and the communities they serve.

In response to these claims, community policing, a new strategy for crime prevention, has been developed. Community policing consists of three basic ideas.

First, the goal of community policing is to help make the community stronger. In a strong neighborhood, people care about what happens. They know one another and watch out for each other. They may sometimes call the police, but citizens do most of the "patrolling" when they are out and about in the community.

Second, the police must focus on what bothers community members. This often turns out to be seemingly unimportant things—graffiti, panhandlers, derelicts drinking on the corner. This strategy is explained by the "broken windows" theory of James Q. Wilson and George L. Kelling, which suggests that unrepaired broken windows send a signal of neglect that prompts people to break more windows. They claim that disorderly behavior, when ignored, leads to worse behavior and eventually violent crime. This is because people view the neighborhood as out of control and stop going out. The street is taken over by drug dealers, prostitutes, and hoodlums.

Finally, community policing stresses problem solving. The police must not just respond to incidents. For example, when residents of a Los Angeles neighborhood complained about graffiti, the police did not merely try to catch the taggers. They helped organize neighborhood groups into painting out graffiti immediately and thus discouraging tagging.

Community policing requires more personnel than many cities can afford. In Chicago, police work closely with community organizers and agencies to establish more personal contact with residents in the neighborhoods they patrol. Some departments have developed a system to recruit and train volunteers who can free officers from desk jobs and provide officers with a first-hand perspective on their neighborhood's problems and resources.

Community policing has its critics. Some argue that the first priority of a police department must be to respond rapidly to crime. If police officers must do more, they say, it will cost more. Moreover, many police officers view community policing as social work that detracts from what they view as the real job of the police—to make arrests and solve crimes. Furthermore, many officers are reluctant to share their power with non-experts in the community.

Another criticism comes from citizens who say that police departments only pay lip service to community policing without actually getting "up close and personal" with a neighborhood and its residents.

NEW ADVOCATES FOR REFORM

Twelve years ago marked a terrible turning point in Jan Miller's life. Her daughter was beaten to death while away at college. Her murderer was never found. Although grief and rage overwhelmed her, her life took on a new mission—to try to keep others from experiencing what her family experienced. Today, she heads the national group Citizens Against Homicide.

This story has been repeated a number of times in recent years. Victims of crime have banded together, formed groups, spoken out against crime, and pushed for new laws:

- Candy Lightner, whose daughter was killed by a drunk driver, went on to establish Mothers Against Drunk Driving, which has influenced laws and attitudes on drunk driving.
- When the kidnap-murder of John Walsh's young son put Walsh in the media's spotlight, he pushed for reform in our disorganized method of finding missing children.
- After her husband James was wounded by a deranged gunman shooting at President Reagan, Sarah Brady founded Handgun Control, Inc., which eventually led to the passage of the Brady Bill. This mandated a waiting period on the sale of all handguns.
- Following his daughter's slaying, Robert Leach, went on to become president of Justice for Homicide Victims, a group that pushed for passage of the California "three strikes" law.
- Marc Klaas, whose daughter Polly was abducted and murdered, has gone on to join Fight Crime, Invest in Kids, a group advocating prevention programs as the best avenue for fighting crime.
- In the wake of the O.J. Simpson trial, Fred Goldman, the father of murder victim Ron Goldman, has gone on to be a spokesman for a victim's rights organization and Nicole Simpson's sister Denise has founded an organization to prevent domestic violence.

Virtually every state has victims organizations and they have power. Politicians seek their advice and support. Politicians, wanting to show they're serious about crime, now seek endorsements from victims and victims' organizations as well as from such traditional law enforcement organizations as police and prosecutors.

In 1996, both the Republican and Democratic presidential candidates endorsed a constitutional amendment to guarantee victims' rights. This amendment would be similar to that already passed by many state legislatures. Among other things, it would give crime victims the right to be present at every proceeding in the criminal process, the right to object to a negotiated plea agreement, and the right to full compensation by the convicted offender.

for academic achievement. Some even target children before they are born, teaching their soon-to-be parents how to bring up the baby. Others provide tutoring for school-age children. Some provide counseling for the families of young people who are misbehaving in school. There are recreation programs, educational programs, and mentoring programs for young people of every age. All aim to discourage at-risk factors or encourage protective factors.

None of these programs differ much from those advocated by the Eisenhower Foundation. They are what public health officials call "primary prevention" programs. They can affect a large portion of the population and aim to prevent violence from happening in the first place.

But the public health approach includes "secondary prevention" measures, or "problem solving" measures. These are immediate steps to fix a situation that could easily turn to violence. It requires analyzing a situation, thinking about what causes it, and intervening to remove one of the causes. For example, the city of Seattle recently experienced a rash of

cars on the freeway having windows shattered by pellets. The "root cause" approach to the problem would take too long. The traditional law enforcement approach would be to step up patrols or sweep areas with police.

An officer took a problem-solving approach. He went to a large local sporting goods store and asked if any air rifles had been stolen recently. Some had. He asked that the store put the rifles in glass cases instead of leaving them out. They did. With teen-agers no longer able to shoplift rifles, the freeway-shooting craze died. This problem solving approach requires knowledge of the community and can be used by police and community members alike. It is flexible enough to confront the many different varieties of violence problems.

THE PROS AND CONS

Many people support secondary prevention measures. It makes sense to analyze problems and figure out what causes them. But it also takes time and personnel. Police officers or community members must be diverted from other jobs. Many communities are not able or willing to do this.

Primary prevention programs raise more controversy. Supporters think it's smarter to guide young people away from trouble in the first place rather than reacting once they get in trouble. Supporters also point out that it's far cheaper: The most expensive prevention program, family counseling, costs about $1,200 per juvenile a year versus about $15,000 for a year in prison. Further, they point out, this spending on prevention programs, such as the early childhood education program Head Start, enriches the community. And, they argue, only prevention programs can cut crime in the long run.

Critics disagree. Many argue that it's impossible to identify who will be a violent criminal and who won't. According to them, this means that prevention programs must target large segments of the population, wasting money on programs for people who don't need them.

Further, critics say that violence prevention programs do not work. Assuming we could identify future violent criminals, they argue, violence protection programs cannot guarantee success. People can go through prevention programs and still commit violent acts.

The root causes of violent crime, they contend, lie in the family. Government programs, they insist, cannot affect family life. If anything, they say, government programs such as welfare have hurt family life and thereby increased crime.

The community, they argue, cannot gamble its safety on violence prevention programs. They dismiss prevention as little more than useless social welfare that wastes the taxpayers' money. These critics would much rather spend money for more police on the streets and prisons to lock up career criminals. When a criminal is behind bars, they point out, you know he can't hurt anyone.

The Seattle Police Department uses bike patrols as part of its community policing efforts.

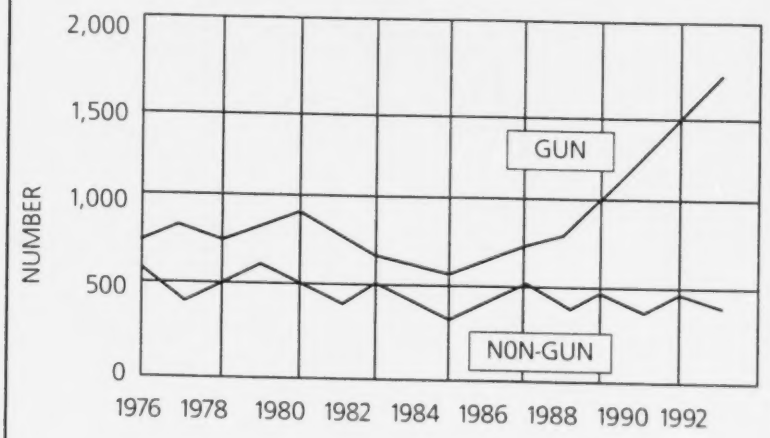
POINTS OF INQUIRY

1. Why do supporters of prevention believe it will work better than get-tough policies?
2. What's the difference between primary and secondary prevention measures?
3. What are the advantages of prevention measures? What are the disadvantages?
4. Do you think prevention measures offer a solution to violent crime? Why or why not?

The Gun Debate

Americans possess more than 200 million firearms. Each year about 640,000 violent crimes, including 16,000 murders are committed with guns, mostly handguns. The number of gun homicides by juveniles is skyrocketing. In fact, if trends continue, gunfire will soon take over as the leading cause of injury-related death in the United States.

NUMBER OF GUN AND NON-GUN HOMICIDES
Juvenile Offenders (ages 10-17)



Source: The data were generated by Glen Pierce and James Fox from the FBI's Supplementary Homicide Reports, which are based on reports of individual homicides submitted by the Nation's police departments.

Some people believe gun control laws, which restrict gun ownership, can reduce the bloodshed. These laws range from gun registration, to bans on certain types of ammunition, to complete bans on handguns and military-assault weapons.

Can gun control laws stop this violence? Americans have highly conflicting views on gun control. According to a 1993 Time/CNN opinion poll, upward of 70 percent favor the idea of gun control laws, but a similar percent oppose an outright ban on handguns. Other polls indicate that Americans have little faith that more gun control will reduce violent crime.

Gun control faces stiff opposition in the United States. Millions of Americans believe that gun ownership is a right and that guns serve a legitimate purpose in society. They argue that guns are not the problem. Rather than penalizing law-abiding gun owners, they favor punishing more harshly those who use guns to commit crimes.

The opposition is led by the National Rifle Association (NRA) and the gun industry. The NRA represents about 3 million hunters and gun enthusiasts. The gun industry, made up of manufacturers and retailers, earns more than $2 billion annually. Together they form a powerful opposition to local, state, and national legislation imposing control on guns.

Over the years the federal government has enacted four major nationwide gun laws. In 1934, it prohibited the possession of machine guns, sawed-off shotguns, and silencers. The Gun Control Act of 1968 limited the importation and sale of cheap handguns, known as Saturday Night Specials, and prohibited the interstate sale of handguns. The Brady Bill, passed in 1993, requires a five-day waiting period for all handgun purchases. The 1994 crime control act bans for 10 years the manufacture and possession of 19 assault weapons and other semi-automatic guns capable of firing many shots in succession.

Other proposed laws would sharply increase taxes on the sale of guns and bullets, require gun purchasers to possess a state firearms license, force gun owners to register their firearms with local police, or even ban handgun ownership.

Supporters of gun control point to other Western democracies, such as Canada, which have strict gun control laws and far lower rates of violent crime. They cite a 1988 study in the *New England Journal of Medicine* comparing a Canadian city, Vancouver, with an American city, Seattle, which are about 100 miles apart. The risk of being murdered by a handgun was about five time higher in Seattle. And a person assaulted in Seattle was twice as likely to die as a person assaulted in Vancouver. Supporters of gun control argue that strict gun control laws will reduce violent crime in America.

Opponents of gun control say that such laws have no effect on criminals. They point to Washington, D.C. It has in effect banned

SEVEN ARGUMENTS FOR AND AGAINST HANDGUN CONTROL

Much of the debate about gun control concerns handguns. There are various proposals at the city, state, and national level. They range from registration to outright bans on handguns. Below are some of the most frequently heard arguments in the debates over handgun control laws.

Arguments Against Handgun Control	Arguments in Favor of Handgun Control
1. American citizens have a legal right to own handguns under the Second Amendment, which says "the right of the people to keep and bear arms shall not be infringed."	1. The U.S. Supreme Court has ruled that the Second Amendment guarantees *states* the right to maintain militias. It doesn't give private citizens a right to own guns.
2. "Guns don't kill: People do." Instead of penalizing ordinary citizens, we should punish criminals who use guns. Imposing mandatory, long prison sentences on criminals will reduce crime more effectively than gun control.	2. Criminals use guns because handguns are so readily available. They will continue to use guns as long as there is little control over their sale and possession.
3. Stronger gun control laws will make it more difficult for citizens to protect themselves and their families. Crime threatens everyone, and the police are not usually around when a criminal appears.	3. Guns are far more likely to harm members of the owner's household than offer protection against criminals.
4. Americans have owned handguns throughout our country's history. Gun control would destroy this time-honored tradition.	4. Americans needed handguns when this country was an uncivilized wilderness. Today, we have police departments to protect us.
5. There is no evidence that existing gun laws have reduced crime and violence. New York City and Washington, D.C., have the strongest gun control laws in the nation, yet crime and violence are more serious there than in many cities without strong gun laws.	5. Countries with strict gun control have much lower murder rates. We have never had strong gun control laws covering the entire nation. Making handguns more difficult to obtain will significantly reduce crime and violence.
6. Even if gun control laws did reduce the use of handguns, criminals would simply shift to other weapons.	6. Guns are more fatal than other weapons. A person shot with a gun is five times more likely to die than a person stabbed with a knife.
7. "When guns are outlawed, only outlaws will have guns." Gun control laws will not stop criminals from getting guns.	7. Strong gun control laws will make it more difficult for criminals to buy handguns quickly. Those who do get guns illegally will face penalties for illegal possession.

A New York City police officer displays weapons turned in during a December toys-for-guns exchange program.

handguns and still has one of the worst murder rates in the country. Gun control laws, they say, only make it more difficult for law-abiding citizens to buy firearms, which they believe is a citizen's right under the Constitution.

The Second Amendment to the Constitution reads as follows:

> A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Opponents of gun control argue that this amendment gives individuals the right to own firearms. They explain that this was considered a basic right when the Bill of Rights was written. Every able-bodied adult male citizen was part of the state militia and was expected to have his own gun. They quote James Madison, the author of the Bill of Rights, who contrasted America with the "kingdoms of Europe, which are . . .afraid to trust the people with arms." The Second Amendment, say opponents of gun control, was written to ensure the right of people to own guns.

Supporters of gun control read the amendment differently. They say the amendment only gives states the right to keep armed citizen militias. It does not, they say, give individual citizens a right to own guns that are not necessary for a state militia. According to supporters of gun control, this means that government can regulate private gun ownership.

The U.S. Supreme Court has decided only a few Second Amendment cases. In *United States v. Cruikshank* (1876) and *Presser v. Illinois* (1886), the court ruled that the Second Amendment only applied to Congress. The court said it did not affect state and local action on firearms. These rulings, however, took place before the court decided that the 14th Amendment incorporated all rights in the Bill of Rights that are "rooted in the tradition and conscience of our people." The court has never decided whether the Second Amendment is one of these rights.

The only Supreme Court decision on federal gun control legislation took place in 1939. Jack Miller and Frank Layton were indicted for possessing a sawed-off shotgun in violation of the 1934 National Firearms Act. The two defendants argued that the National Firearms Act violated the Second Amendment. The federal district court agreed and quashed their indictment. The prosecutor appealed. In *U.S. v. Miller*, the U.S. Supreme Court unanimously upheld the indictment of the two men. In rejecting the defendants' Second Amendment claim, the court stated:

"In the absence of any evidence tending to show that possession or use of a 'shotgun having a barrel of less than eighteen inches in length' at this time has some reasonable relationship to the preservation or efficiency of a well regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument."

The decision did not end the debate over the meaning of the Second Amendment. In fact, the *Miller* decision is cited by supporters and opponents of gun control. Supporters claim

CARRYING CONCEALED WEAPONS

In the county of Los Angeles, with a population of 8.5 million, only 400 private citizens have a license to carry a handgun. Would Los Angeles, and other metropolitan areas across the nation, be safer if more people carried concealed weapons? This question is being debated in state legislatures across the nation.

L.A. County has so few permits because its sheriff's department routinely denies applications to carry concealed weapons. This used to be the policy of most police departments. But in 1987, Florida passed a "shall issue" law, which granted most citizens the privilege of getting a permit. Many states followed suit. Shall-issue laws typically require that a person be 21, have no criminal record, and no record of mental illness. If a person meets these requirements, then the police department "shall issue" a concealed gun permit. The department may not deny a license to qualified applicants.

Today, about 30 states, with more than half the nation's population, have shall-issue laws. About 1.5 million people have permits to carry concealed weapons. One commentator calls this a "quiet revolution in gun policy," which will have greater long-term effect than the more publicized national assault weapon ban and Brady Bill mandating waiting periods on handgun purchases.

Supporters of shall-issue laws say that concealed weapons offer people protection from crime. Many people will feel safer if they can carry a gun. Moreover, supporters say, concealed weapons will deter crime. If more people carry weapons, they argue, criminals will be unsure who is carrying a weapon and will be less likely to attack.

Opponents worry about everyone carrying guns. In the words of a California Assemblyman, "I wouldn't feel safe going to a movie theater and having to worry about who is carrying a handgun. I'd certainly hate to spill popcorn on the wrong guy." L.A. County Sheriff Sherman Block asks people to think of someone "who does not have a criminal record, who has never been certified as mentally ill and whom they would hate to see carrying a firearm."

Supporters of shall-issue laws point to Florida's experience. Its homicide rate has dropped and few people with gun permits have done anything wrong. Detractors point out that Florida's cities—Miami and Tampa—continue to rank among the nation's most dangerous and that most states' homicide rates have fallen.

Both sides cite studies. A University of Maryland study showed an increase in murder rates in four out of five urban areas that adopted shall-issue laws. A University of Chicago study showed that shall-issue laws reduced violent crime. In fact, the Chicago study claimed that if every state adopted shall-issue laws, each year there would be approximately 1,500 fewer murders, 4,000 fewer rapes, and 60,000 fewer aggravated assaults.

Most states are now considering shall-issue laws. Supporters believe that arming citizens will help prevent violent crime. Opponents fear the laws will increase bloodshed.

PROFILE

Policy Advocates Sarah and James Brady

On March 30, 1981, President Ronald Reagan was departing from the Washington Hilton Hotel when shots rang out. The wounded president was shoved into his limousine and whisked away by Secret Service agents while police pinned 25-year-old John Hinckley Jr. against a wall and wrested a pistol from his grip. Reagan's press secretary, James Brady, was lying on the pavement, blood oozing from a head wound. Reagan recovered quickly and resumed his executive duties, but Brady's career as a journalist and political spokesperson was over.

Hinckley's rapid-fire attack left Brady paralyzed from the chest down. Despite a history of mental disorders including the obsessive stalking of screen actress Jodie Foster, the disturbed Hinckley had encountered no obstacles in the purchase of a .22-caliber handgun from a Texas pawnshop.

The bullet that destroyed her husband's ability to walk and talk turned Sarah Brady into a determined activist for gun control. But, she insists, her passionate crusade is more than a personal vendetta. "I don't need therapy. I got over my frustration." But, she added, "I think it's ridiculous that we as a society don't do something about the violence."

In order to facilitate her work, Sarah Brady looked for allies who might already be addressing the issue of guns and violence. She joined forces with Handgun Control, Inc., a Washington-based lobbying group that advocates legislation to control the sale and ownership of handguns and semi-automatic weapons. This organization includes many people whose families have been victims of handgun violence.

After many years of effort, Sarah and James Brady, Handgun Control, and many other groups and individuals finally persuaded Congress to pass the Brady Bill in 1993. It was the first major gun control legislation to get through Congress since 1968. The Brady Bill requires a waiting period for handgun purchases, during which time the purchaser is checked out for previous criminal activity and psychological instability.

Convincing Congress to pass the Brady bill was an uphill battle. Opponents, led by the National Rifle Association, argued that the Brady Bill infringes on Americans' Second Amendment right "to keep and bear arms." Furthermore, they contend, it is useless to restrict legal handgun sales because most assaults are committed with firearms that are purchased illegally.

In addition, anti-gun control legislators introduced an alternative to the Brady Bill, which would require gun dealers to run a police check to screen out would-be gun purchasers with a criminal record. However, many law enforcement experts point to the staggering costs involved in computerizing and coordinating criminal records for the 50 states and dismiss the NRA bill as unrealistic.

Encouraged by their victory with the Brady Bill, Sarah and James Brady and Handgun Control have gone on to support state and local handgun and assault weapon control initiatives on the ballot, including Maryland's ban on "Saturday night specials" and California's assault weapons ban. They want to ban sale of all assault weapons and high-capacity ammunition magazines and strengthen requirements for federal licenses to sell guns.

Miller decided that the Second Amendment only protects state militias. Opponents claim *Miller* gives anyone the right to carry militia-type weapons.

Since *Miller*, the Supreme Court has refused to hear any Second Amendment cases. Lower federal courts, however, have consistently upheld gun control laws challenged as violating the Second Amendment. For example, in 1983 a federal appeals court ruled that a municipal ordinance banning handgun possession did not violate the Second Amendment. Some of the decisions have cited *Miller* and declared the weapons being regulated were not militia-type or were not meant for a state militia. Other decisions have cited the 19th century decisions ruling that the Second Amendment does not apply to the states.

Some legal scholars are awaiting a definitive ruling on the Second Amendment by the Supreme Court.

POINTS OF INQUIRY

1. Do you think gun violence is a major problem in the United States? Why or why not?
2. Do you think gun control can reduce violent crime? Why or why not?
3. What do you think the Second Amendment means?

Curfews and Local Government: Protection, Punishment, or Politics?

New Orleans is famous for its night life, but for teen-agers in the famous Mardi Gras capital, a night on the town ends at 9 p.m. during summertime and 8 p.m. in winter. That's because young people under 17 are subject to a curfew in New Orleans. Curfew laws have recently been adopted in thousands of cities and towns across the nation. Nearly three-fourths of U.S. cities with more than 100,000 inhabitants have enacted laws to keep young people off the streets during nighttime hours.

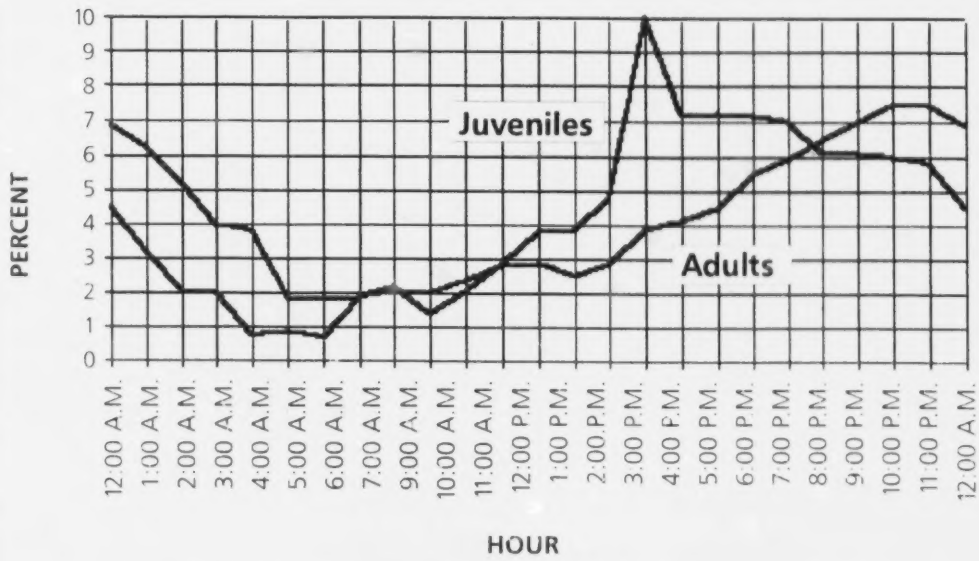
The new curfew laws are part of a response to the increase in juvenile crime that occurred between the years 1988 and 1992. During those four years, juvenile homicide increased 55 percent. Forcible rape grew by 27 percent, and aggravated assault jumped 80 percent. Young people under 16 were responsible for 62 percent of violent juvenile offenses. In addition, statistics show that teen-agers are the most frequent targets of juvenile violence. Most of these young victims of violent crime are assaulted between the hours of 11 p.m. and 6 a.m. Many of these incidents are gang-related.

Given these facts, many communities have decided to try to curb juvenile violence by enacting curfews for young people. In 1990, 93 of the 200 American cities with populations of over 100,000 had written curfews into their municipal lawbooks. By 1995, the number had grown to 146.

THE DALLAS CURFEW

Dallas, Texas, is one of these cities. In 1990, juveniles in Dallas committed 40 murders, 91 sex offenses, and 230 aggravated assaults. In 1991, those figures increased drastically. Most of the victims of juvenile violence in Dallas were young people. Most juvenile homicides occurred between 11 p.m. and 3 a.m. Dallas residents demanded that the city's youth be better protected. In 1991, the Dallas city council responded by passing a curfew.

Time of Offending by Age Offender



Source: FBI National Incident-Based Reporting System (NIBRS) for South Carolina, 1991-92, and H. Snyder and M. Sickmund, Juvenile Offenders and Victims: A National Report.

The Dallas curfew prohibited anyone under 17 years of age from occupying a public place between 11 p.m. and 6 a.m. on weeknights and between midnight and 6 a.m. on weekends. The only exceptions were juveniles who were married, accompanied by an adult, traveling to and from work, responding to an emergency, or attending a supervised school, religious, or recreational activity. A final exception applied to any juvenile who was exercising his or her First Amendment rights. The First Amendment to the U.S. Constitution guarantees freedom of speech and the right to assemble peacefully in public gatherings.

To some Dallas residents, particularly parents, the curfew seemed vague and poorly worded. Others worried that the new ordinance would violate young people's civil rights. Dallas' curfew law was challenged by the American Civil Liberties Union (ACLU). ACLU lawyers argued that the curfew law violated young people's constitutional rights under the First, Fourth, Fifth, and 14th amendments.

The First Amendment guarantees the right to freedom of speech, religion, and peaceful assembly. The Fourth Amendment protects persons against unreasonable searches and seizures and protects against any unreasonable detainment of individuals. The Fifth Amendment guarantees that citizens who have been accused of doing something wrong will be treated fairly under the law. Part of the 14th Amendment supports a citizen's right to travel.

Attorneys who defended the new curfew law for the Dallas city council relied on a previous court case that ruled in favor of juvenile curfews. In 1975, a U.S. district court in Pennsylvania found in *Bykofsky v. Borough of Middletown*, that "the parents' constitutionally protected interest. . . which the ordinance infringes only minimally, is outweighed by the Borough's interest in protecting immature minors. . ." The attorneys argued that the Dallas city council had adopted the curfew ordinance only after hearing compelling testimony that described serious increases in late-night juvenile violence.

Despite these arguments, a U.S. district court declared that Dallas' curfew law was unconstitutional. The Dallas city council appealed the case to the Fifth Circuit Court of Appeals. To make its decision about the curfew law, the Fifth Circuit Court looked at earlier Supreme Court cases involving equal protection and a legal concept known as strict scrutiny. This means that the court takes a very hard look at any law that (1) threatens a fundamental right

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or (2) discriminates against a specific race, minority, or other group of people called a "suspect class."

Although juveniles are not considered a suspect class, the Dallas curfew did restrict young people's fundamental right to move freely in public. Therefore, the Fifth Circuit Court subjected the Dallas curfew to the strict scrutiny test. Under this test, the city council had to prove that a curfew would serve a *compelling* governmental interest and was the least restrictive means available to serve that interest.

The court ruled that the Dallas curfew served a compelling governmental interest because it had the potential to reduce juvenile crime and victimization. It also ruled that the exceptions in the curfew provided young people and their parents with enough freedom to determine when and how they could move about after curfew hours. Because of these exceptions, the court decided that the curfew law met the requirement of being the least restrictive means to serve the government's interest. In its decision, the court wrote that the curfew was designed to "allow the city [of Dallas] to meet its stated goals while respecting the rights of the affected minors."

By requiring the Dallas curfew to meet the rules of strict scrutiny, the court recognized the importance of juvenile rights. By allowing the curfew to stand, it recognized the authority of local government to protect the welfare of its citizens and to balance the rights of juveniles against the needs of public safety.

The ACLU tried to appeal the case to the U.S. Supreme Court. But the court refused to hear the case. So a definitive ruling on curfews has not been made by the Supreme Court.

In 1994, Dallas' curfew went into effect. After almost two years, Dallas officials claimed success with the new curfew law. Violent crime committed by young people had decreased by 30 percent. Overall juvenile crime dropped 20 percent. New Orleans officials reported similar successes. In the first year of its teen curfew, youth crime dropped by 27 percent.

CURFEW PROS AND CONTROVERSIES

Not everyone is convinced by the curfew statistics reported by cities like Dallas and New Orleans. Criminologist William Ruetle, who is publishing a report on the New Orleans curfew, claims that "no one will really know how effective curfews are until criminal justice researchers have had a chance to examine them."

John Pionke, who conducted a survey for the U.S. Conference of Mayors, reported that "a lot of cities showed a drastic decline in juvenile crimes. . . 30 to 50 percent in one year." But, he added, "Whether that can be maintained remains to be seen." Ruetle's study found that, in the first few months after the New Orleans curfew went into effect, 100 officers were regularly assigned to a special curfew detail. Four months later there were none.

Curfew enforcement became just one of many duties of the cop on the beat. "You have to be consistent," Pionke maintains. "There's no point in clamping down one week and leaving off the next. . . Kids are smart, they know what's going on."

Many Dallas law enforcement officers express positive views about the curfew. In some cases, they have seen young people enforce the curfew laws themselves. "Those kids know what time it is," says Dallas police Lieutenant Jeff Cotner. "They'll push it right up to the wire, but then they leave. . . ." Dallas nightspots like clubs and restaurants have also gotten the message. They can be cited for allowing minors on their premises after curfew hours.

Other police officers feel that curfews can strain already tense relations between police

More than 100 U.S. cities now have curfews for juveniles.

and young people. Rich Roberts, from the Union of Police Associations, says that "it [the curfew] creates a hostility between police and young people that does not serve a good purpose. It's a delicate balance that requires a lot more thought than the average policymaker puts into it." Others feel it is not possible or advisable for police officers on the street to take on parental responsibilities.

Other concerned citizens feel that curfews tend to focus on the symptoms of juvenile crime and violence, while they ignore the causes. They do not want to see curfews replace broader-based youth services like recreation programs or counseling services that can lead young people away from questionable activities. A coalition of San Francisco community activists opposed a curfew proposal in a recent San Francisco election. The coalition suggested an alternative to the curfew that would funnel resources into education, recreation, and job-placement programs. Bay Area voters rejected the curfew in favor of other prevention programs.

In most communities, curfew laws are still new. While their fairness and effectiveness has been challenged, curfew programs that offer a wide range of youth services and are consistently enforced often receive widespread popular support. Can curfew programs provide the communities they serve with fair and positive means to reduce juvenile violence? Only time will tell.

POINTS OF INQUIRY

1. How do curfews protect young people? Do you think they are effective?
2. What compelling governmental interest does a curfew serve? Do you think a curfew is the least restrictive means of achieving this interest?
3. What do you think should happen to young people who violate curfews?

Schools are not immune from the violence problems affecting our society.

School Violence

Every year, 3 million young people in the United States fall victim to crimes at school. Almost 2 million of these incidents involve violence. Although most school violence takes the form of minor assaults, some episodes are far more serious. Some end in tragedy. For example, in two recent academic years, a total of 85 young people died violently in U.S. schools. Seventy-five percent of these incidents involved firearms.

Reports of assaults, robberies, and vandalism were on the rise in U.S. schools from the late 1960s to the early 1970s. School violence leveled off by 1975. But in the early- and mid-1980s, reports revealed that school violence was on the rise once more, reaching a new peak in the early 1990s. Recent information tells us that today, school violence may be decreasing. In short, school violence, like violence in society, seems to run in cycles. These cycles appear to mirror the trends of violence in our larger society.

The threat of attacks in schools can create fear and disorder among students and teachers. According to a study conducted in 1995, 34 percent of middle school students and 20 percent of high school students admitted that they feared becoming victims of school violence. Eight percent of teachers say they are threatened with violence at school on an average of once a month. Two percent report being physically attacked each year. In a single

school year in New York City, 3,984 teachers reported violent crimes against them.

Middle school students are more than twice as likely as high school students to be affected by school violence. Seven percent of eighth graders stay home at least once a month to avoid a bully. Twenty-two percent of urban 11- and 12-year-olds know at least one person their age in a gang. The typical victim of an attack or robbery at school is a male in the seventh grade who is assaulted by a boy his own age.

Studies suggest two reasons for the higher rates of middle school violence. First, early adolescence is a difficult age. Young teenagers are often physically hyperactive and have not learned acceptable social behavior. Second, many middle school students have come into contact for the first time with young people from different backgrounds and distant neighborhoods.

Urban schools suffer most from violence. Many of these schools serve neighborhoods troubled by violence and gang-related crime. It is not surprising that these problems find their way onto campus. But a study of 700 communities conducted by the National League of Cities revealed that 30 percent of suburban and rural schools also reported an increase in violence over a five-year period. In another survey conducted by the Children's Institute International, almost 50 percent of all teen-agers—rural, suburban, and urban—believe that their school is becoming more violent.

Statistics on School Violence

These are a few highlights from various surveys measuring school violence:

- More than one-tenth of all violent crimes take place at schools. (Bureau of Justice Statistics)
- More than 80 percent of 700 communities surveyed said that violence is a serious problem in classrooms, hallways, and playgrounds, and almost 40 percent reported that the problem has increased noticeably over the past five years. (National League of Cities)
- Students at schools with gangs were about twice as likely as students from schools without gangs to be afraid of attack, both at school and traveling to or from school. (National Crime Victimization Survey)
- Two in five parents of high school students said they were worried about their child's safety in school and traveling to and from school. (Metropolitan Life Survey of the American Teacher)
- One in 25 students said they missed at least one day of school during the previous 30 days because they felt unsafe at school or unsafe traveling to and from school. (Centers for Disease Control)
- More than 10 percent of students reported carrying a weapon (knife, gun, or other type) on school property during the previous 30 days. (Centers for Disease Control)
- Two out of three high school students say they can easily obtain a gun. (MTV Networks and Garin-Hart Research Associates)
- About one-fifth of students surveyed would definitely tell a teacher if they knew that another student had carried a weapon to school. (Metropolitan Life Survey of the American Teacher)
- About 100,000 guns are brought to schools each day. (Department of Justice)
- Students living in families that had moved three or more times in the last five years were three times more likely to suffer a violent victimization than students who had moved less often. (National Crime Victimization Survey)

WHAT CAN BE DONE?

Educators and school boards across the nation are trying various measures to improve school safety. Although the goal of each school board is the same, the problem varies from district to district and even from school to school. Some school districts are relatively safe and seek to remain so. Others are plagued with problems of violence and need to restore order. So a number of different strategies are being tried in schools across the United States.

Neglected school facilities can contribute to disorder and a poor learning environment.

DISCIPLINE CODES, SUSPENSIONS, AND EXPULSION

Seeing a need for discipline, many schools are enacting discipline codes. The U.S. Department of Education suggests that schools set guidelines for behavior that are clear and easily understood. Students, teachers, and parents should discuss the school's discipline policies and talk about how school rules support the rights of students to get a good education. Students should know how to respond clearly to other young people who are intoxicated, abusive, aggressive, or hostile. Students, parents, and teachers can meet and develop an honor code that will contribute to a positive learning environment.

Some schools have started first-offender and rehabilitation programs for students who have been implicated in or suspended for violent assaults at school. These programs offer tutoring and conflict mediation training for the offender and his or her parents. In addition, students and parents may be asked to sign a contract to participate in joint counseling with school staff once the suspended student returns to school.

Many school districts have adopted a zero-tolerance policy for guns. In Los Angeles Unified School District, any student found with a gun is expelled. The policy seems to be weeding out students who are carrying guns. In its first year, about 500 students were recommended for expulsion. The following year the number increased to almost 600 students. The increase raises questions. Is it due to better enforcement? Or is the policy not stopping students from carrying guns?

SCHOOL UNIFORMS

Another policy rising in popularity is school uniforms. A recent study by the U.S. Department of Education suggests that school uniforms can help reduce theft, violence, and the negative effects of peer pressure caused when some students come to school wearing designer clothing and expensive sneakers. A uniform code also prevents gang members from wearing colors and insignia that could cause trouble and helps school officials recognize intruders who do not belong on campus.

In Long Beach, California, students, teachers, parents, and school officials worked together to establish a uniform code for all elementary and middle schools. Each school chooses what its uniform will look like. In addition, students can "opt out" of wearing a uniform if they have their parents' approval. The Long Beach program involves 58,000 students and includes assistance for families who cannot afford to buy uniforms. In many Long Beach schools, graduating students donate or sell their used uniforms to needy families.

In the year following the establishment of the uniform policy, Long Beach school officials found that overall school crime decreased 36 percent. Fights decreased 51 percent, sex offenses decreased 74 percent, weapons offenses decreased 50 percent, assault and battery offenses decreased 34 percent, and vandalism decreased 18 percent. Less than 1 percent of the students chose not to wear uniforms.

Across the country, the adoption of school uniforms is so new that it's impossible to tell whether it will have a long-term impact on school violence. Critics have doubts. And some parents, students, and educators find uniforms coercive and demeaning. Some students complain that uniforms turn schools into prisons.

INCREASED SECURITY MEASURES

Whenever a violent incident occurs on a campus, there usually are calls to institute stricter security. Many school districts are turning to security measures such as metal detectors, surveillance cameras, X-ray machines, high fences, uniformed security guards, and increased locker searches. Machines similar to those that line airports now stand in many school entrances. Video cameras common to convenience stores now monitor hallways of some schools. About one-fourth of all large school districts routinely use metal detectors to keep guns off campuses. A couple years ago, New York purchased X-ray machines to

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scan student purses and book bags for weapons.

These security measures definitely deter some violence, but they also have drawbacks. Take metal detectors as an example. First of all, they are expensive. Second, it takes a long time to scan every student. One Brooklyn, New York, high school has students arrive in shifts to get through the metal detectors. Third, metal detectors cannot deter anyone determined to carry a weapon. As a 1993 report for the Dade County School Board stated: "Students become creative. They pass weapons in through windows to friends, hide knives and other sharp instruments in shoes and in girlfriends' hair. They manage to find creative ways to bring weapons to school."

CONFLICT MEDIATION AND OTHER EDUCATION PROGRAMS

A number of schools have developed programs that focus on building students' self-esteem and developing social skills to improve student communication. And thousands of schools at all grade levels are teaching methods of conflict resolution and peer mediation to students, parents, and school staff. In some schools, teachers and students are required to get to know each other in discussion sessions where everyone describes their personal strengths and weaknesses, their likes and dislikes, what makes them laugh, and what makes them angry.

Other schools are adopting innovative curricular programs. Law-related education helps students understand the legal system and social issues through interactive classroom activities. Service learning links classroom learning to activities in the community. Character education teaches basic values.

Many educators believe it is important to break down the cold, impersonal atmosphere of large schools by creating "schools within schools," or smaller communities of learning. Whenever possible, they argue, schools should hire more teachers to minimize school violence associated with classroom overcrowding. They also think it is helpful to offer specialized vocational training and instruction in career development to prepare young people for life in ways they can recognize are important.

JOINING WITH THE COMMUNITY

Numerous schools have had success in reducing school violence by developing contacts with police, gang intervention workers, mental health workers, the clergy, and the business community. Community groups and businesses can work with schools to create "safe zones" for students on their way to and from school. Stores and offices can also identify themselves as "safe spaces," where young people can find protection if they are being threatened. Enlisting the aid of the community to deal with school violence raises awareness of the problem and helps educators put their money where it belongs, in education.

Still other school districts have set up outreach programs with local employers, so that students with good academic records or special vocational training can be placed in jobs. Professor Jackson Toby of Rutgers University recommends that employers require high school transcripts as part of the job application process and make it known that the best jobs will go to students with the best records.

POINTS OF INQUIRY

1. What factors do you think might contribute to school disorder and violence?
2. Why does school violence often occur more frequently in middle schools than high schools?
3. Imagine that you are a school principal who just discipline a first-time violence offender. What action would you take?
4. What actions would you take as a school principal to ensure the safety of your students?

CHAPTER 3

TAKING ACTION AGAINST VIOLENCE

INTRODUCTION

We have looked at the nature of violent crime–its history, its victims, and how it affects our basic institutions. We have explored some questions and debates on what government can or should do about violence in America. But our nation's problems with violent crime cannot be addressed by governmental action alone. Citizens of all ages and from every sector of society must play a part.

The tragedy of violence has prompted many Americans to take action against it.

In this chapter, you will find out how individuals and groups can help reduce violence and the threat of violent crime. First, we examine simple steps individuals can take to reduce the chances of becoming victims. Next, we explore a few methods people can use to make sure that conflicts do not escalate into violent confrontations. Finally, we learn what people around the country are doing to make their neighborhoods safer places to live and what you can do to take up the challenge of violence in your own community.

Playing It Smart: The Role of the Individual

According to the U.S. Department of Justice, juveniles are responsible for roughly one out of five violent crimes committed in the United States today. At the same time, more young people fall victim to violent crime than any other age group. A wide range of facts and statistics confirms the notion that young people are often at risk to violence. For example:

- Since 1979, more than 50,000 young people have been killed by firearms; roughly the same number of Americans died in the Vietnam war.
- A gun takes the life of a child every two hours.
- Homicide is the third leading cause of death among middle-school children.
- In U.S. cities, an average of one in four teen-agers has witnessed a murder and three out of four know someone who has been shot.

Although violence poses a serious problem for our society, young people do not have to live in fear of violence. It may be impossible to predict or prevent trouble at every turn, but there are ways to deal positively with the threat of violence. With the wisdom that comes from experience, one young man from a troubled neighborhood observed, "You go looking for violence. Violence doesn't come looking for you."

The simplest way to deal with violence is to avoid it. Avoiding violence works a lot like preventive medicine. Preventive medicine operates on the idea that it is better to stay healthy than to be forced to cure an illness. Simple health methods like eating nutritious food and getting plenty of exercise can block illness before it begins. Avoiding violence works the same way–it's better to avoid

violence than deal with the consequences of a conflict gone wrong. Armed with awareness and a few simple tools or techniques, young people, their friends, and families can often avoid violence before it happens.

STREET SMARTS

- Know what's going on around you. Wherever you are, tune in on your surroundings. You can probably "smell" trouble before it begins.
- Put out a strong, clear message: "I'm cool, calm, collected, and I know where I'm going."
- Learn safe routes through your neighborhood. Stick to well-lit, well-traveled streets and pathways. Whenever possible, travel with friends.
- Avoid trouble spots and troubled people. You know who and where they are. If something feels weird about a person or place, trust your intuition—leave.
- Keep jewelry inside your clothing when you are on the street. Don't flash your money: No one will be impressed if you get mugged.
- Stay away from drinking and drug-using scenes. Justice Department statistics reveal that alcohol is involved in over 50 percent of violent crime. Drugs don't help matters either.
- Statistics show that a weapon increases the chance of violence. People who carry guns to protect themselves or impress their friends often get shot or shoot others.

PUBLIC TRANSPORTATION

- Use well-lighted, busy transit stops. The presence of other people cuts down the opportunity for violence.
- Stay alert. Be aware of what is going on around you.
- If someone hassles you, shout "Leave me alone!" loud enough for everyone to hear. Don't be embarrassed; it could save your life.
- Watch who gets off at your transit stop. If someone makes you nervous, walk directly to any place where you find other people.

HOME SECURITY

Intruders can turn a comfortable house or apartment into a dangerous assault zone. A skilled burglar can break into an unprotected home in less than 60 seconds! Nearly 50 percent of home burglaries take place when intruders find unlocked doors or windows.

Breaking and entering can lead to violence. Burglars can turn violent when surprised in a home or if they encounter a person alone inside. To discourage burglars and avoid the possibility of rape or other forms of assault, conduct a *home security check*.

- **Door locks.** Standard door locks have a beveled latch that can be forced open. The best protection against break-ins is a deadbolt lock. When you lock a deadbolt, the bolt should extend at least one inch into the door jamb.
- **Sliding glass doors and windows.** Intruders often gain entry by lifting sliding doors and windows out of their tracks. Drill holes in the door or window and the track they slide in. Insert a bolt or pin in the hole from inside. This keeps intruders from sliding the door or window from outside.
- **Sash windows.** Install locks that prevent sash windows from sliding up and down in their tracks. They allow windows to be opened a few inches for ventilation without giving a burglar enough room to enter your home.
- **Window bars.** Install them to lock intruders out of your home. Unfortunately, bars also lock people in. Make sure that window bars can be opened from the inside in case of fire.
- **Shrubbery and yard lights.** Don't give intruders a place to hide. Trim any shrubbery outside your windows. Outside yard lights will illuminate dark areas where a burglar might lurk.
- **House numbers.** Clearly display your house number so that police can find your home quickly.
- **Alarm system.** Test your alarm system once a month to make sure it works.

PROFILE

Charles Carson, Community Activist

WHEN CHARLES CARSON WALKED AWAY FROM HIS OWN VIOLENT WORLD, HE RESOLVED TO HELP OTHER YOUNG PEOPLE AVOID A LIFE OF VIOLENCE.

Charles Carson's father left when his son was 7. His mother was left alone to raise four children. Charles began using drugs when he was 9 years old. Most of his friends had mothers and fathers. He thought there was something "strange" about his family. He had no one to talk to. People told Charles that everything was okay, but he didn't think so.

Charles dropped out of the 10th grade and ran away from home. He survived by stealing. He slept under houses and in garages. He dealt drugs. He was a witness to every kind of violence under the sun—muggings, killings, overdoses. Being immersed in a violent world can turn people's hearts to stone, but Charles realized he was still shocked at the suffering caused by violence.

Charles began to question his life. He looked closely at other human beings in his drug-ravaged neighborhood. He realized they'd be walking the streets the rest of their lives, no money, no job, nothing. He remembered the first time he was arrested. His mother came to bail him out of jail. She brought him some beef jerky to show Charles that she loved him. Now, he decided to call her. She told Charles that he had to take responsibility for his actions. She told him that only he could control the decisions he made everyday.

Charles began to develop what he called "a personal hunger." He wanted to *do something.* He was not interested in fame or fortune. He wanted to demonstrate his concern for other people. He still "screwed up," but he started to take more control of his actions. He stopped dealing drugs. He dropped into the Boys' Club. He began to play basketball and lift weights. He learned how to play the guitar. Finally, he stopped using drugs altogether.

Charles decided that the best way he could help people was to keep other kids in his neighborhood from making the same mistakes he had made. He designed his own self-esteem class at the Boys' Club. Charles believes that the way to quit drugs is to find out who you are. Charles completed his high school education and attended Tacoma Community College. He began working for the Tacoma Youth Initiative. Today, he recruits kids into anti-drug and anti-violence programs. He also speaks out against drugs and violence on local television and radio and has developed his own anti-drug and anti-violence billboard campaign. "I'd like to see the races come together," he says. "We could have so much more. There have been so many quarrels. I'd like to see honesty everywhere, and unity."

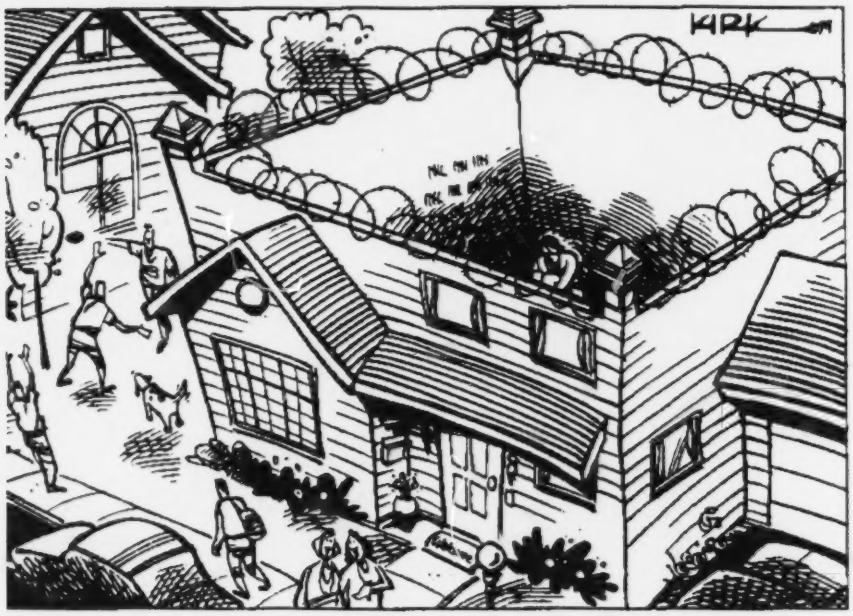
Do you live in an apartment building? Run a safety check. Are elevators located in busy parts of the building? Are stairways well-lit and locked on the outside? Is the laundry room in an isolated part of the building? Do security guards patrol the building? How often?

DOMESTIC VIOLENCE

Each year, roughly 4 million people, mostly women and children, suffer from domestic violence. Domestic violence is not committed by a robber or other intruder but by a husband or wife, mother, father, or boyfriend.

Domestic violence is called "the hidden crime" because it is rarely reported by its victims. Victims of domestic violence are often too young, helpless, or ashamed to let anyone know about their family's problems. Others deny they are victims—even to themselves.

The cost of domestic violence is high. Young people can lose valuable school time, jobs can be lost, and careers stalled because of injuries,



Victims of domestic violence are often too fearful, helpless, or ashamed to report their abusers.

emotional stress, and legal actions that almost invariably accompany domestic violence. Men and women who use violence to solve conflicts often teach the same destructive behavior to their children. It is vital that victims of abuse get help, in order to break the cycle of domestic violence.

Caution: Domestic Violence Ahead

Abusive individuals often exhibit behavior that can serve as a warning signal of potential violence. For example, potential abusers may:

- Become angry and violent when they use alcohol or drugs.
- Humiliate family members in front of others.
- Take or destroy family members' personal property.
- Threaten to hit, punch, slap, or kick other family members.

If any of this behavior is taking place within a family, more serious abuse may follow.

If you know people who suffer from domestic violence, encourage them to call the police. Assault, even by family members, is a crime. Victims can also seek attention from a doctor or a hospital emergency room. Most hospitals will photograph injuries as proof of domestic violence. Photographic proof gives victims an option to take legal action against their abusers. Students who have suffered abuse at home should talk to a school nurse. Victims can also call a crisis hotline or a family health center for advice on how to protect themselves from abuse.

IN THE WORKPLACE

Most people who work together know how to manage conflict and get along at the job. Despite the horror stories on television, the number of disgruntled employees who attack their bosses or fellow workers is extremely small. But work makes up a vital part of people's lives. When people work together for eight hours or more every day, conflicts can arise. If not handled properly, these conflicts can become violent. In addition, outsiders may bring violence into the workplace. To avoid violence on the job, conduct a *workplace security check*.

- Is your office secure? Do you have good lighting, safety training, and sign-in policies for visitors?
- Is your employer careful about hiring and firing employees?

- Can you report potentially violent behavior to your employer? Will you be taken seriously?
- If you deal with the public, does your reception area have a lock on the door that can be controlled from the inside, even during the day?
- Are elevators, stairways, and corridors well-lit? Don't go into these areas with people who look disturbed, suspicious, or just out of place.
- Are restrooms normally locked and available only to employees?
- Don't work alone after hours. Create a buddy system for the walk to the parking area or to bus or subway stops.
- Parking lots and garages should be well-lit and guarded. When you approach your car, have the key ready. Lock your car doors as soon as you get in.

CONVENIENCE STORES, SHOPPING MALLS, AND PARKING FACILITIES

Robberies occur 1.2 million times each year in the United States and violence injures one-third of all robbery victims. Convenience stores, shopping malls, and parking facilities all have a reputation for attracting robbers. To avoid falling victim to robberies in these places, consider some of these suggestions:

- Run a simple safety check on the convenience stores in your neighborhood. Is the cash register located at the front of the store? Can you see what is going on inside before you enter? Is the store brightly lit? Does the cashier work alone? Single employees encourage robbery.
- Run a safety check on your local shopping mall. Are there enough security guards? Are they alert and effective? Shopping center parking lots are potentially hazardous. Are all areas of the parking lot well-lit and visible from the stores? High walls and barriers can conceal muggers. The threat of violence is greater when shoppers and security guards can't see clearly.
- If somebody tries to rob you, give up your property, not your life. Let the person go, then report the crime to the police. Be able to describe your assailant accurately.

By sharpening your awareness and keeping a few security tips in mind, you can often avoid violence before it begins. You can work together with your friends and family, your fellow students, and the people at your job and in your neighborhood to create a safer environment in which to work, study, travel, or just hang out and enjoy life.

POINTS OF INQUIRY

1. Compare preventive medicine to the avoidance of violence.
2. Why do you think some people don't report domestic violence? What do you think would encourage more people to report it?
3. What are some techniques for avoiding violence?
4. Why are shopping malls potentially dangerous places?
5. Have you ever been involved in an incident in which you successfully avoided violence. How were you able to do it?

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Group Action: Creating Alternatives to Violence

Although conflict is part of everyday life, it does not have to lead to violence. Dealing positively with conflict can help people understand each other better, build confidence in their own ability to control their destinies, and develop the skills they need to lead successful, productive lives. A wide variety of methods and programs have been developed to deal positively with conflict and resolve disputes before they become destructive.

THE CHAIN OF VIOLENCE

"Violence has been with us forever!"

"It's basic human nature to be violent."

"Look at the animals in the jungle. We're just the same as them!"

Sound familiar? You've probably heard people talk about violence in this way. Many people believe that violence is basic to human nature; that violence has been deeply imbedded in the human brain since the beginning of time; that there is nothing we can do about it.

But many scientists who study human behavior think differently. They believe that humans have learned to use violence in response to a more basic fact of life—conflict. Some of these scientists suggest that, if human beings have learned to use violent methods to deal with conflict in the past, they can learn to use other, more constructive methods to deal with conflict in the future.

For example, when people are able to describe a conflict clearly, they stand a better chance of solving a problem before it turns violent. In order to describe a conflict, it is helpful to understand what elements, or ingredients, must be combined to produce a conflict. Although conflicts usually arise out of a number of elements, they are always influenced by cause and effect. You've seen it happen—Terry insults Jody, Jody pushes Terry, Terry pushes back harder, and so on. Cause and effect can link a series of elements into a chain that leads to violence. What are some of the links in that chain?

According to Carol Miller Lieber, an educator at Washington University, conflict usually begins with a lack of information. People in conflict often don't know enough about each other to solve a problem they share. This *lack of information* leads to *misunderstanding* and the discovery of *different goals, needs, values, or opinions. Barriers of race, language, age, or gender* can turn up the heat on conflict.

These differences can be described as opposing *points of view*. At this stage in a conflict, people who hold opposite points of view will begin to argue. If they do not deal positively with their problem, they will resort to *verbal threats or attacks* to describe their differences. At this stage, the conflict often generates a *flashpoint*, behavior that triggers a *physical attack* from another group or individual.

Today, behavioral scientists are beginning to challenge the long-standing belief that violence is an unchangeable law of nature.

Today, educators, social service experts, and psychologists are developing programs that teach young people how to resolve conflicts without using violence. What are these programs and how do they work? Have they gotten good results? There are several different types of conflict resolution programs. Most of these programs move beyond a simple avoidance of violence to bring people face to face with the deeper, underlying elements of conflict.

CONFLICT RESOLUTION PROGRAMS

Most conflict resolution programs are based on the premise that people can control the emotions that arise out of conflict and lead to violent action. These programs are usually designed to provide people with skills they need to deal with conflict as it unfolds. Most conflict resolution programs focus on developing strong communication and problem-solving skills. Role-play activities are particu-

larly useful in developing conflict resolution skills because they allow participants to experience what "the other side" feels and to understand the consequences—positive and negative—of a broad range of responses to conflict.

The primary goal of conflict resolution is to deal with the problem of violence, to keep individuals safe, healthy, and alive. But conflict resolution also encourages young people to peacefully address cultural and racial differences—skills that are necessary for survival in a multicultural world.

Teens Believe They Learn to be Violent

In a recent study conducted by Children's Institute International, three out of four teen-ages said they believed that violent behavior is learned. Of those, 43 percent think that violence is learned from parents. Another 20 percent say it is learned from television. Approximately 15 percent say it is learned from friends or others in the neighborhood. Additionally, young people who have carried a knife or gun in the past year are significantly more likely to believe that violence is learned.

For example, at Roosevelt High, a San Francisco Bay Area high school, 53 percent of students are Asian; 42 percent are Latino. The school resonates to the sound of 15 different languages. In the past, racial issues often led to violence. By using conflict resolution techniques to explore the causes and effects of racial tension, students are now sharing their different cultural backgrounds instead of fighting over them. "We basically learned how to work together on little problems like misunderstandings and big problems like racism," said one Roosevelt High student. Dealing skillfully and methodically with a serious problem like racism on campus can help young people overcome feelings of helplessness and distrust. As they explore the causes and effects of racial conflict, they begin to feel more powerful and in control of their lives.

PEER MEDIATION

Mediation relies on a neutral third party to help groups or individuals deal with conflict. Peer mediation is one of the most popular forms of conflict resolution. Peer mediation is particularly effective in dealing with conflict between young people. Today's school-based, peer mediation programs got their start in the 1980s. They were part of a response to the increase in violence that affected many middle and high schools. Early peer mediation programs were modeled after successful adult programs, where community volunteers intervened to settle conflicts between landlords and tenants, consumers and local merchants, or squabbling neighbors. These neighborhood programs were guided by the idea that members of a community are best equipped to resolve all but the most serious of their own disputes, without having to rely on lawyers, the police, or the courts.

Like their adult counterparts, student mediators are taught conflict resolution techniques. Mediators can use these techniques to help fellow students settle disputes without having to turn to a teacher, counselor, or principal. Peer mediation programs work well in schools because young people usually connect better with each other than with adults. As one student described it, "When kids talk to other kids their age, they make them feel more comfortable to open up." And when young people come up with their own solutions to problems, they are taking control of their own lives. They are more likely to work hard and follow through on plans and projects that they have created to address their own problems.

According to the originators of SCORE (Student Conflict Resolution Experts), a successful peer mediation program in Massachusetts, students will grow to trust a well-planned program because it works. SCORE's results have been encouraging: Over a six-year period, more than 6,500 conflicts have been successfully mediated. Many of these conflicts involved violence, and many of them revolved around serious racial issues that pitted large groups of students against each other. Ninety-five percent of SCORE's mediations produced written agreements; less than 3 percent of these agreements have been broken.

An effective peer mediation program should have the capacity to mediate a high volume of conflicts. It should include all types of students as mediators and should be useful in settling even the most challenging disputes, including racial and multi-party disputes. SCORE recommends 20 to 25 hours of hands-on training that develops listening, communication and problem-solving skills. Mediators need to learn how to remain neutral in con-

flicted situations and to help the conflicted parties look beneath the surface for the root causes of conflict. Most important, peer mediation training should include numerous role-plays that give future mediators hands-on experience in dealing with conflict situations.

One student mediator commented on how the SCORE program made a difference in his life. He said: "Before I got into SCORE, there was no other way. . . but fighting. You would never think, 'Well, I'm going to sit down and try to talk with this person. Let's see if we can work something out.' I never thought that way. But now I do."

NEGOTIATION

In negotiation, there is no independent third party: Individuals or groups in conflict use agreed-upon ground rules that allow them to work toward an agreement. In order for negotiation to succeed, both parties must want to find a solution. Neither side must try to win. And both sides must be willing to move away from their original, conflicted position. At the same time, both parties must learn to stand up for their own needs, even if they have to change their position.

Strong communications skills are critical in negotiation, so that both sides can clearly express and understand each other's feelings, needs, and desires. Most important, the parties in conflict must set down and follow guidelines. These guidelines must describe shared interests, for example, "We both need to be able to come to school." As each party suggests possible solutions to the problem, they can evaluate them by determining if they fall within the guidelines for shared interest.

OTHER VIOLENCE PREVENTION METHODS

Below is a brief survey of other programs and methods for managing and resolving conflicts before they escalate into violence:

- Crime prevention and law-related education programs describe how the criminal justice system responds to crime, explore public policy options for dealing with crime, and teach young people how to become involved in making their communities safer.

Negotiation at work—members of rival Los Angeles street gangs hold a press conference to announce a truce.

- Gun violence education programs highlight the threats and consequences involved in the mishandling of guns and offer alternatives to solving problems with guns.

- Life skills training programs may not address violence directly, but they can help young people learn how to avoid violence. Life skills programs usually offer methods to resolve conflict and develop friendships with peers and adults. Young people learn how to resist negative peer pressure and deal with issues of intergroup conflict.

- Recreation programs cannot prevent youth violence by themselves, but they are attractive to young people and work well when linked up with other violence prevention programs. Sports are good outlets for stress and anger, teamwork teaches cooperation, and these programs keep young people off the street and away from possible violence.

Violence prevention programs work best when they are combined with other efforts. For example, efforts to keep weapons out of school can benefit from the support and understanding of parents, local government, the police, and of social or psychiatric services for at-risk youth. The whole community benefits the most when the whole community participates in dealing with the problem of youth violence.

Filling a Vital Need

Although still young, conflict resolution programs have more work than they can handle. Educators and violence prevention experts are busy teaching students, teachers, school staff, and parents the methods they need to address violence in thousands of schools and communities across the nation.

- **San Francisco:** Three-fourths of public schools have student conflict managers.
- **New York City:** At least 80,000 students from more than 100 schools participate in some kind of conflict resolution program.
- **Chicago:** All schools must schedule a regular dispute resolution class for every student in the ninth or tenth grade.

Do you have a conflict management program in your school?

PROGRAM EFFECTIVENESS

Because conflict resolution programs are relatively new, it has been difficult to measure their results. Little hard research has been conducted. A 1987 study by the Education Development Center gave only weak support to a popular conflict resolution program developed by the Violence Prevention Project (VPP). Conducted in six schools across the United States, the evaluation was based on student attitudes and behaviors measured before and after they participated in the VPP conflict resolution program. Although students who received the curriculum reported having fewer fights, it was not clear whether these answers were accurate. The evaluators did not make use of school or police records to validate the students' responses. Students may have simply been less willing to admit that they had taken part in fights after they took the violence prevention course.

Despite this evaluation, the VPP curriculum became very popular. By the end of 1990, more than 4,000 copies of the curriculum had been sold. Many school administrators felt they needed something to address the problem of adolescent violence. At the time, no other violence reduction programs had been proven effective.

Other intervention programs reveal small, but measurable effects. Melinda Smith, executive director of the New Mexico Center for Dispute Resolution reported that 28 percent of youths in the state's juvenile correction system who were taught peer mediation skills were arrested again, as compared to 33 percent who took conflict mediation classes, and 35 percent who received no training at all. Smith concluded that the peer mediators benefitted the most because peer mediation requires the most active, hands-on use of skills that can be applied to everyday life.

On the optimistic side, Roosevelt High reports a 40-percent drop in suspension rates since the inception of its conflict resolution programs. "We've got less fights now," said one student mediator. "We're trying to say, 'If you got a problem, you can come to us and we'll help you out. You don't have to turn your fist up and hurt somebody.'"

Students report they feel better about themselves and safer at school. They handle conflicts quicker. The best mediators are often students who used to be the biggest troublemakers. Fights that have been settled by the students themselves seem to stay settled longer.

Teachers report improved attendance and a dramatic decline in the number of suspensions. There are fewer fights. Students seem to have more sympathy for other students. Students can handle problems that used to take up the time and energy of teachers and other school staff. With conflict resolution, students are less inclined to react to conflict by running or fighting. Instead they begin to see conflict as an opportunity to define their own values and goals.

POINTS OF INQUIRY

1. In your opinion, is violence an integral part of human nature?
2. How can a conflict lead to violence? What are some links in the chain of violence?
3. Who do you think are better qualified to resolve youth conflicts: young people or adults?
4. Most violence prevention programs have not yet been evaluated. Do you think they are effective? Why or why not?
5. Imagine that you are the principal of a middle school. You are concerned with student violence. What kind of prevention program would you adopt? Why?

Group Action: Making a Difference

A wide range of organizations are addressing the problem of violence at the school, community, state, and national levels. It is helpful to know what these organizations are all about. They may already be addressing the problem of youth violence, or they may be able to refer you to other groups who are dealing with the issue.

WORKING WITH OTHERS

Teaming up with others can create a powerful force to counteract violence. People working together on a well-planned project usually have a better chance of achieving their goal than an individual working alone. Additionally, individuals or groups who collaborate can take advantage of each other's experience and resources.

Finding others who are interested in working on the problem of violence may be as simple as turning and looking at the person sitting in the next seat. Asking a few questions may lengthen the list of potential allies. Who has been seriously impacted by violence in a community? Who has expressed concern about violence as a community problem? Are there organizations that are already working on the problem of violence? A search through the phone book, the library, local colleges and universities, computer online services, and city hall should reveal a broad range of local, state, and national programs that address the problem of violence.

A CLOSER LOOK

Although youth violence is considered by many to be a national issue, different communities find different ways to address the problem. Often, a group of concerned citizens will design their own program to deal with a specific community crisis. For example, young people in the city of Yakima, Washington, have high rates of unemployment, teen pregnancy, and school dropout. Language barriers create conflict between the generations and various ethnic groups. These factors have contributed to a high incidence of violence, including gang confrontations among white, Latino, and African-American youth.

The Gang Prevention Coalition was started as an attempt to provide Yakima's at-risk young people with places to go and things to do. The coalition established six community centers called "Kid's Places" in neighborhoods with high rates of youth violence. Today, adult and youth volunteers provide day and night recreation, mentoring, and counseling opportunities for young people. Over a three-year period, youth violence has dropped 80 percent in the six neighborhoods where the coalition operates.

In their efforts to counteract problems with young people and violence, many communities have gotten good results by combining the efforts and resources of a number of organizations. For example, in 1988, the Memphis police received approximately 65,000 calls involving domestic violence. Many of these calls were from people who had needed help before. In addition, 78 percent of the homicides committed in Memphis that year were connected to domestic disputes.

In response, the Memphis Police Department teamed up with several local social service organizations and other government agencies. United under a common goal, this group of organizations pooled their skills and resources to establish the Family Trouble Center. Today, victims of domestic violence can benefit from a variety of local Memphis services, all coor-

No one can solve the problems of violence alone; people need to work together to address the complex issues of neighborhood safety.

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Existing Groups and Youth Violence

Although their agendas may vary from one community to the next, many organizations are concerned about young people and violence. Some of these organizations are small and work at the city or county level. The programs and activities that they support are often tailored to meet the particular needs of a community. Others are state or national organizations. Some may even be part of the federal government. These groups may not have exactly what your community needs, but they can provide valuable information and advice. For example, the U.S. Department of Justice regularly publishes bulletins, reports, and manuals that contain useful information that applies to youth violence.

Government and Community Agencies and Organizations
Health Departments (county, state, federal)
Social Service Agencies (county, state)
Mental Health Agencies (county, state)
Police Departments (local, county, state)
Neighborhood Watch (local, state)
Judicial Systems and Justice Departments (local, county, state, and federal)
Fire Departments (local)
Housing Authorities (county, state)
Secondary and Elementary Schools (local, county)
Neighborhood Associations (local)
Tenants Associations (local)

Volunteer Service Organizations
Salvation Army (local, national)
Goodwill Industries (local, national)
National Network of Runaway and Youth Services (local, national)
Big Brother/Big Sister (local, national)
Medical Associations (local)

Private Organizations
NAACP (local, national)
The Urban League
Churches, Religious Organizations (local, national)
Colleges and Universities (local, state)
Local Businesses
Media (local)
YMCA/YWCA (local, state, national)
Professional Sports Organizations (local)

dinated by the Family Trouble Center. Under the center's guidance, victims can seek shelter from their abusers at one location, take advantage of counseling services with another group, and learn about their legal rights from a third. In addition, the Family Trouble Center draws on local schools for student volunteers and conducts a community awareness program. Through the local courts, many domestic violence offenders are referred to an intensive 12-week anger-management program. Within a year, only one out of 10 graduates of this program was arrested again for domestic violence.

Phones, faxes, and the Internet give large, national organizations an opportunity to work on a micro level with smaller, community groups. For example, Cities in Schools (CIS) is a dropout-prevention program that works with schools across the nation.

Based in Washington, D.C., CIS looks at the breakdown of the family, the physical decline of neighborhoods, and the decrease of job opportunities as major factors that place young people at risk to violence. In order to address these causes of violence, CIS places community-service providers at more than 600 schools in nearly 200 communities nationwide. Evaluations show that over a two-year period, 80 percent of CIS students remained in school, 70 percent were absent less often, and 60 percent improved their grades.

SMALL BEGINNINGS, BIG RESULTS

Group efforts do not need to be large to be effective. A small, well-planned community action project can focus on a specific problem without having to rely on outside leadership or support. Social service organizations are often overburdened and may not have time or resources to help as much as they would like. Other people may team up at a later date with a small, determined group that has demonstrated they can get a project rolling. Below are a few examples of successful anti-violence campaigns that were initiated and led by young people:

- Young people in Alexandria, Virginia, testified before the city council about the need for a recreation center for at-risk youth. Their compelling stories helped convince city officials to raise money to transform an abandoned army base into a community center.
- Students in Maryland mounted a telephone campaign to PTA and school board members to get trees and bushes removed from a dangerous area behind their school where numerous muggings and assaults had occurred.
- Teen-age boys raised in abusive households often resort to violence against the girls they date. The Teen Dating Violence Project in Austin, Texas, helps young people become aware of violent dating behavior and how to avoid it.
- High school students in Los Angeles produced a public service announcement that offered alternatives to joining a gang. The 30-second spot aired on local Spanish-language and English-language radio stations.
- The Mayport Shark Patrol in Atlantic Beach, Florida, was started after two teachers and four students attended a national convention on youth crime. The Shark Patrol trains young people in techniques to make their school a safe and healthy educational environment.
- Sixth graders in New York City wanted to reduce the level of harrassment and intimidation their parents, many of whom don't speak English, felt from the police. They started "Peace with Police" to improve communication between themselves, their parents, and the police in their neighborhood.

With a little help, a few resources, and a good plan, young people can make a connection between their own needs and the needs of their community. They can learn how to focus their energy and work with a diverse array of individuals and community groups to address the problem of violence on the streets, in school, and at home. They can learn that violence doesn't have to rule peoples' lives. Violence, like many other social problems, can be controlled.

POINTS OF INQUIRY

1. Do you think group efforts at reducing violence are more effective than individual efforts? Why or why not?
2. What organizations in your community are concerned about young people and violence?
3. What kinds of organizations do you think are more effective at dealing with the problems of youth violence: small, local groups or large, national organizations? Why?
4. What kinds of advantages might come from a joint violence reduction effort by several community groups? What kinds of groups might work best together?
5. Young people have started many violence reduction programs. What are some advantages—and disadvantages—of these kinds of efforts?

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TEACHER'S GUIDE

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The Challenge of Violence
TEACHER'S GUIDE

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Introduction

This Teacher's Guide is designed to provide instructional support for the classroom use of *The Challenge of Violence*. The text is organized into three major sections.

I. The Problem of Violence: An examination of the history, types, effects, and causes of violent crime in America.

II. Law and Public Policy: An examination of the constitutional and policy dimensions of trying to deter or reduce violent crime at the national, state, and local levels.

III. Taking Action Against Violence: An examination of measures individuals and groups can take to manage conflict in their own lives or address problems of violence in the school and community.

In addition to expositional readings that provide a substantive focus on issues relating to violence, each section contains a number of features. They include:

- Points of Inquiry: Questions about the various texts to promote classroom thought and discussion.
- Profiles: Brief sketches of personalities—perpetrators, reformers, victims—whose lives reveal various aspects of the violence problem.
- Civil Conversations: Brief readings that raise issues or provoke debates about the nature of and solutions to violence.

This Teacher's Guide and *The Challenge of Violence* have been made possible by a generous grant from the **W.M. Keck Foundation** as part of a series that focuses on critical challenges facing America and its constitutional democracy as we approach the 21st century.

Overview of the Teacher's Guide

This Teacher's Guide provides recommended lesson sequences incorporating readings, directed discussions, and interactive activities supported by reproducible student handouts. Also included are a set of suggested enrichment activities for utilizing the **Civil Conversation** feature. These activities ask students to draw on previous material, make connections, draw parallels, and link what they have learned to their own lives.

Chapter 1—The Problem of Violence

LESSON 1. INTRODUCTION

OVERVIEW

This lesson introduces students to *The Challenge of Violence*. First, students read and discuss the introduction to the text. Then in a newspaper search activity, they identify and discuss examples of violence in their own community.

OBJECTIVES

Students will be able to:

1. Describe the purpose of the *Challenge of Violence* and its educational goals.
2. Identify examples of violent crime from popular culture and local news sources.

PREPARATION

Bring to class six or seven recent editions of your local newspaper (include all sections) and six pairs of scissors or marking pens.

PROCEDURE

A. **Introduction:** Briefly overview with your students your planned unit of study on violent crime.

B. **Focus Activity:** Ask students to think of a movie, book, song, or television show that has something to do with violent crime and to provide a brief description of the work. Then ask: Why do you think violence is such a popular subject? Encourage students to state and support opinions. Then explain that writers and artists have long been fascinated by violence and that their study of the subject will help them learn about the reality of violent crime.

C. **Reading and Discussion:** Have students read the introduction to the text on page 4. Write the term "violence" on the board and ask students to provide definitions. Then ask students to describe the focus and major sections of the book. Discuss any questions they might have.

D. **Small-Group Activity: Newspaper Violence Search**

Step 1. Explain to students that in studying violence it is important to understand how it affects our own community and that the newspaper is an excellent resource for finding out.

Step 2. Write the following headings on the board: Examples of Violent Crime; Causes and Effects of Violence; Laws and Proposals Against Violence; Citizens Working Against Violence.

Step 3. Divide the class into groups of four or five students and give each group a newspaper and scissors or marking pens.

Step 4. Have students work in their groups to skim the newspapers for articles, features, cartoons, photos, movie ads, film and book reviews, and advertisements that have something to do with violence. Each one found should be clipped or marked.

Step 5. Have each group report on its examples and place them in one of the categories on the board, if appropriate. (Note: items may fit into more than one category.) When all groups have reported, debrief the activity by asking:

- What percentage of the newspaper had something to do with violence?
- What percentage of the articles had something to do with violent crime?
- Why do you think the media pays so much attention to violence?

EXTENSION

Have students monitor local news shows to find out how violence and violent crime is covered. Ask them to log the stories reported in a half-hour newscast in order of presentation. Then lead a class discussion to determine the percentage of the news devoted to violence or violent crime and the priority placed on such stories.

LESSON 2. A HISTORY OF VIOLENCE

OVERVIEW

In this lesson, students read and discuss an overview of American history that describes eras and themes relating to violence. Then in an individual writing assignment, students compose a letter to the future describing the role violence plays in our own time.

OBJECTIVES

Students will be able to:

1. Describe two eras in American history with reference to violent crime.
2. State and support an opinion about the causes of violence in American history.

PROCEDURE

A. **Focus Discussion:** Begin the lesson by asking students:

- Other than wartime, what examples of violence or violent crime do we have from American history? (As students provide examples, note them on the board.)

Then explain that in this lesson they will examine some violent episodes from America's past and compare them to their own examples.

B. **Reading and Discussion:** Have students read **America's Violent Past** on page 6. Conduct a class discussion using the **Points of Inquiry** questions on page 11.

1. Why has violent crime existed at such high levels throughout American history?

2. Why are violent outlaws like Jesse James and Billy the Kid so often portrayed as heroes?

3. How do you account for so much mob violence directed against African-Americans throughout our history?

4. Why did the crime rate go down in the 1930s? Why did it go up again in the 1960s?

5. List as many causes of crin · in American history as possible. Discuss the list and select the five most important. Explain your reasons.

C. **Writing Activity: Letter to the Future**

Explain to the class that one way historians learn about the past is by studying letters, journals and diaries of people who lived then. Ask them to imagine that sometime in the future a historian will be interested in a study of the community in which they live today. The historian is particularly interested in the subject of violence. Their assignment is to write a letter of at least one page in length that describes the role violence plays in their own community. It can contain personal anecdotes, descriptions of events, or a description of feelings. Encourage students to be creative, but as accurate as possible, in their depictions. If desirable, have students share their letters with the class or collect them for a grade.

LESSON 3. THE GANG QUESTION

OVERVIEW

This lesson focuses on gang violence in the 20th century. First, in a reading and discussion, students compare the problem of modern street gangs to historical models. Then in an interactive activity, students take part in a town meeting to develop ideas to head off youth gang problems in a hypothetical community.

OBJECTIVES

Students will be able to:

1. Identify three gang behaviors that contribute to violence.

2. Propose and support alternatives for youth involved in gangs.

PREPARATION

To conduct the activity you will need a copy of **Handout A** for each student.

PROCEDURE

A. **Focus Activity:** Begin the lesson by conducting a brief brainstorm asking students one-at-a-time to provide a one-word response to the following question:

- When I say "street gang," what word comes to mind? (Write responses on the board. They might include: violence, guns, drive by, drugs, fighting, etc.)

Point to the responses that connote violence and explain that for many people gangs are often associated with violence. Further explain that in this lesson they will learn more about how gangs contribute to America's violence problem.

B. **Reading and Discussion:** Have students read **The Gang Question** on page 11. Then lead a class discussion using the **Points of Inquiry** questions on page 14.

1. What factors contributed to the rise of the urban street gang?

2. How are modern street gangs different from street gangs of the past? How are they similar?

3. What street gang behaviors are associated with high levels of violent crime?

4. What factors make it difficult for some members to leave a gang?

C. **Small-Group Activity: Town Hall**

Step 1. Distribute and have students read **Handout A—Colors Come to Cavett**. Answer any questions they may have.

Step 2. Divide the class into small groups of four or five students. Each group is to develop a proposal for dealing with Cavett's growing gang problem based on evidence from the reading.

Step 3. Take the role of city manager and ask the groups to report on their proposals. Make sure each is supported. If desirable, take a straw vote of the class to decide which proposal will best meet the problem in the town.

LESSON 4. VIOLENCE TODAY

OVERVIEW

In this lesson, students examine the problems of modern violence. First, in a reading and discussion they examine various definitions, types, and settings of violence. Then in a small-group activity, students role play broadcasters and create public affairs segments reporting on what they have learned.

OBJECTIVES

Students will be able to:

1. Distinguish among various definitions of violence.

2. Identify various types and settings for violence.

3. Synthesize and summarize information about a given violence topic.

PREPARATION

You will need a copy of **Handout B** for each student.

PROCEDURE

A. **Focus Discussion:** Begin the lesson by polling students on the following question:

- Do you think the problem of violence is getting better or worse? (Record the number of students on either side of the proposition on the board.)

Then ask representatives from both points of view:

- On what do you base your opinion about whether violence is getting better or worse? (Students might identify the media, personal experience, opinions of friends, etc.)

Explain that the reading will address this issue and provide more information about trends and types of violence.

B. **Reading and Discussion:** Have students read **Violence Today** on page 15. Lead a class discussion using the **Points of Inquiry** questions on page 22.

1. What factors might cause rates of violence to fluctuate over time?

2. Why are young people so often the victims of violence?

3. What student behaviors contribute to violence in schools? Have you experienced these behaviors in your own life?

4. How does child abuse contribute to violence in the future?

5. What might explain why women as a whole are less likely to be victims of violence than men?

C. **Small-Group Activity: Broadcast News**

Step 1. Explain that in this lesson, students, working in small groups, will take the role of broadcast news teams to develop two-minute stories on some aspect of violence in America today.

Step 2. Divide the class into groups of five students and distribute one copy of **Handout B—Broadcast News** to each student. Assign any leftover students as an additional writer to one of the news teams. Review the instructions and answer any questions they might have. Allow students a reasonable time to complete their preparations.

Step 3. Help teams select a topic for their broadcasts. If desirable, topics can correspond to the subsections of the **Violence Today** reading, which begins on page 15.

Step 4. Call on the groups one at a time to come to the front of the room to present their broadcasts. If desirable, have the class select the team that presented the most accurate and creative report.

EXTENSION

Videotape the best broadcasts or put them together in a news magazine format and share them with other classrooms.

CIVIL CONVERSATION

As an additional activity, conduct a Civil Conversation using the reading on page 18 and the procedures outlined on page 20 of this guide.

LESSON 5. THE CAUSES OF VIOLENCE

OVERVIEW

In this lesson, students examine some of the causes and risk factors associated with violence. First, in a reading and discussion, students identify social, individual, and cultural factors that may promote violence. Then in an activity, students apply what they have learned by identifying risk factors in a hypothetical case.

OBJECTIVES

Students will be able to:

1. Identify social, individual, and cultural factors that may be associated with violence.
2. State and support an opinion about which factors might be influencing a given case.

PREPARATION

You will need a copy of **Handout C** for each student.

PROCEDURE

A. **Focus Discussion:** Conduct a brief class discussion using the following question:

What causes people to become violent? (Students should be encouraged to suggest causes. As items are suggested, list them on the board.)

Explain that in this lesson students will examine some current theories about the causes and risk factors of violence and they can compare them to their own ideas.

B. **Reading and Discussion:** Have students read **Risks and Causes of Violence** on page 23. Lead a class discussion using the **Points of Inquiry** questions on page 27.

1. What is a risk factor? How does it help explain violent behavior?
2. What evidence is there that poverty and joblessness promote violence?
3. If child abuse rates were high in the 1990s, what might you predict about rates of violence in the 2010s? Why?
4. Do alcohol and drug use contribute to violent behavior? Explain.
5. Do you think violence in the media contribute higher rates of violence in society? Why or why not?
6. In addition to those factors mentioned in the article, what other factors might contribute to violent behavior or crime?

C. **Paired Activity: Kurt's Story**

Step 1. Divide the class into pairs of students. Distribute one copy of **Handout C—Kurt's Story** to each student.

Step 2. Conduct a reader's theater of **Kurt's Story**, assigning various students one paragraph to read out loud to the class.

Step 3. Refer students back to the reading **The Risks and Causes of Violence** on page 23. Have students work in pairs to review **Kurt's Story** and identify the various social, individual, and cultural risk factors that might have contributed to Kurt's violent behavior.

Step 4. On a separate sheet of paper, each pair should list the various factors that apply and provide evidence for each from the story.

Step 5. Debrief the activity by asking the following questions:

- Which risk factors do you think had the most impact on Kurt? Which had the least?
- What might have helped Kurt avoid his fate?
- What might have Kurt done to turn his life around?

Chapter 2—Law and Public Policy

LESSON 6. THE POWERS OF GOVERNMENT

OVERVIEW

In this lesson, students examine the powers, branches, and levels of government and their role in addressing the problems of violent crime. First, with a reading and discussion, students review the institutions involved in the battle against violent crime and examine in a case study how they might respond to a hypothetical violent crime problem. Then in an activity, students create a chart showing different governmental agencies that address violent crime problems.

OBJECTIVES

Students will be able to:

1. Describe the role the various branches and levels of government play in addressing violent crime problems.
2. Identify and classify government agencies dealing with violent crime according to branch and level of government.

PREPARATION

You will need a copy of **Handout D** for each student.

PROCEDURE

A. **Focus Discussion:** Ask the class the following questions:

- What different police agencies might respond to crimes in our community? (Write answers on the board. Possible answers: city police, sheriff, highway patrol, FBI.)
- What level of government do these agencies belong to? (Sort them into city, county, state, and federal government.)

Explain that under our federal system many different agencies are involved in the fight against violent crime and that in this lesson, students will find out how they work to address problems of public safety and violent crime.

B. **Reading and Discussion:** Have students read **Government's Role in Fighting Violent Crime** on page 28. Lead a class discussion using the **Points of Inquiry** questions, page 31.

1. What are the basic roles of the executive, judicial, and legislative branches in fighting violent crime?
2. What are some examples of executive crime-fighting agencies at the federal level? The state level? The local level?
3. How can a criminal case, tried in a state court, reach the U.S. Supreme Court?
4. What do you think are the advantages of having a federal form of government for crime fighting? What are the disadvantages?

C. **Paired Activity: Whose Job Is It?**

Step 1. Divide the class into pairs of students.

Step 2. Distribute copies of **Handout D—Whose Job Is It?** to each student.

Step 3. Instruct students to work with their partners to create a chart showing government agencies in all branches and levels of government that deal with violent crime. Tell students to use the reading and to be sure to explain briefly on their chart what each agency does.

Step 4. Debrief the activity by going over each branch and level of government and calling on students to report what they found.

EXTENSION

Have students research and create a chart naming the specific agencies that deal with violent crime in their state or community.

LESSON 7. PROTECTING INDIVIDUAL FREEDOMS

OVERVIEW

This lesson focuses on how constitutional rights can influence policy making on violent crime. First, students read and discuss an article on constitutional rights that can affect governmental actions to suppress crime. Next, in pairs students are given a list of proposed crime policies and students decide which constitutional right or amendment might be affected.

OBJECTIVES

Students will be able to:

1. Identify specific rights that might affect government actions to suppress crime.
2. Decide which right might affect particular hypothetical anti-violence policies.

PREPARATION

You will need one copy of **Handout E** per student.

PROCEDURE

A. **Focus Discussion:** Tell students to imagine that to stem violent crime the following proposal has been made:

As of January 1, police officers will identify all persons suspected of committing a violent crime within the last year. All persons identified will be detained for up to six weeks without the requirement of trial. To secure their release, all detained persons must demonstrate to authorities that they did not commit the crime of which they are suspected.

Then ask:

- Would this proposal be effective in reducing violent crime? Why or why not? (Students will probably concluded that it would.)
- What would prevent such a proposal from being adopted? (Continue questioning until students identify the protections contained in the Constitution and Bill of Rights.)

Explain that there are many things a society could do to reduce violent crime, but some things, no matter how effective, would not be permitted in a free society.

B. **Reading and Discussion:** Ask students to read **Protecting Individual Freedoms** on page 32. Conduct a class discussion using the **Points of Inquiry** questions on page 36.

1. What important rights and protections are contained in the original Constitution?
2. Why is the 14th Amendment important to the Bill of Rights?
3. What types of anti-crime proposals might be affected by the Second Amendment? By the Eighth Amendment? By the First Amendment?
4. How are police limited by the Fourth and Fifth amendments?
5. To control violent crime, do you think we should sacrifice some of our rights? Why or why not?

C. **Paired Activity: City Attorney**

Step 1. Divide the class into pairs of students.

Step 2. Explain to students that in this activity they are going to take the role of public interest lawyers whose job it is to survey a list of proposed anti-violence measures to determine whether any of them may violate the Constitution or Bill of Rights.

Step 3. Distribute **Handout E—City Attorney** to each student. Also refer students to the reading **Protecting Individual Freedoms** on page 32 and the article **The U.S. Constitution** on page 35. Explain that they can use the readings to complete their assignment.

Step 4. Debrief the activity using **The U.S. Constitution** on page 35.

EXTENSION

Students should recognize that violations of rights are commonplace in many parts of the world. Amnesty International each month publicizes different prisoners held in various countries. The fact situations illustrate gross violations of basic rights. As reinforcement, you can have your students decide which rights under the Constitution have been violated. As extra credit, have them write a letter of complaint to the government involved.

LESSON 8. GETTING TOUGH ON VIOLENT CRIME

OVERVIEW

This lesson examines various "get tough on crime" strategies. Students first read and discuss an article on getting tough on violent crime. Then in pairs, students make recommendations on a proposed "three strikes and you're out" law.

OBJECTIVES

Students will be able to:

1. Explain the purpose of get-tough legislation.
2. Decide on amendments to a hypothetical three-strikes statute.
3. State reasons for their decision.

PREPARATION

You will need one copy of **Handout F** for each student.

PROCEDURE

A. **Focus Discussion:** Ask students: "What do you think should be done to reduce violent crime in our country?" List their various proposals on the board. Then note any of their proposals that fit in the category of "getting tough of crime." Inform students that many people believe we should get tougher on crime.

B. **Reading and Discussion:** Ask students to read **Getting Tough on Violent Crime** on page 36. Conduct a class discussion using the **Points of Inquiry** questions on page 40.

1. What are the purpose of get-tough measures?
2. What are their advantages? What are their disadvantages?

3. Do you think states should enact more get-tough measures? Why or why not?

C. **Paired Activity: Legislative Adviser**

Step 1. Divide the class into pairs of students.

Step 2. Explain to students that in this activity they are going to take the role of advisers to a state legislator. Inform them that the legislature is going to vote on a three-strikes law, which is very popular with the voters, and the legislator wants their advice on whether to support two amendments to the three-strikes law.

Step 3. Distribute **Handout F—Legislative Adviser** to each student. Review the three-strikes proposal and the two amendments. Give students time to complete the assignment.

Step 4. When they finish, ask which pairs support the Amendment #1. Ask for their reasons. Ask who opposes Amendment #1 and ask for their reasons. Repeat for Amendment #2. To conclude, conduct a class vote on both amendments.

CIVIL CONVERSATION

As an additional activity, conduct a Civil Conversation using the reading on page 38 and the procedures outlined on page 20 of this guide.

LESSON 9. CONTROLLING CRIME THROUGH PREVENTION

OVERVIEW

In this lesson, students explore two different approaches to violent crime—getting tough and prevention. Students have already been introduced to getting tough in the last lesson. Here they are introduced to prevention through a reading and discussion. Then students in small groups role play presidential commissions deciding on policies our nation should adopt in its battle against violent crime.

OBJECTIVES

Students will be able to:

1. Distinguish between get-tough and prevention policies for violent crime.
2. Create and justify a particular policy that they believe best addresses our nation's violent crime problem.

PREPARATION

You will need one copy of **Handout G** for each student.

PROCEDURE

A. **Focus Discussion:** Tell students:

There is a particularly dangerous cliff near a hiking trail. Several people, while on the trail, have slipped and tumbled over the cliff, badly injuring themselves. The authorities have decided to take action. From now on, paramedics will station an ambulance at the foot of the cliff so that anyone who falls off can quickly be taken to the hospital.

Ask students what they think of that idea. Students will likely reply that an better idea would be to do something to prevent people from falling. Let them discuss this briefly. Then inform students that some people feel that the solution to crime also lies in prevention.

B. **Reading and Discussion:** Ask students to read **Controlling Crime Through Prevention** on page 41. Conduct a class discussion using the **Points of Inquiry** questions on page 47.

1. Why do supporters of prevention believe it will work better than get-tough policies?
2. What's the difference between primary and secondary prevention measures?
3. What are the advantages of prevention measures? What are the disadvantages?
4. Do you think prevention measures offer a solution to violent crime? Why or why not?

C. **Small-Group Activity: Presidential Commission**

Step 1. Divide the class into groups of 3-5 students.

Step 2. Explain that students are going to take the role of members of a presidential commission whose job it is to decide on policies for fighting violent crime.

Step 3. Distribute a copy of **Handout G—Presidential Commission** to each student. Review the handout carefully. It describes each group's tasks in the role play. Give students time to complete the assignment.

Step 4. When groups are ready, have each group report back. On the board, write the headings "prevention," "get tough," and "other." Discuss each group's proposal and discuss under which heading each proposal would fall. Write it under the appropriate heading. To conclude, have the students vote on each proposal.

LESSON 10. THE GUN DEBATE

OVERVIEW

This lesson focuses on the debate over gun control and specifically on the meaning of the Second Amendment. First, students read and discuss an article on this debate. Then students role play Supreme Court justices and attorneys deciding a Second Amendment case.

OBJECTIVES

Students will be able to:

1. Develop an interpretation of the Second Amendment.
2. Give reasons for their interpretation.

PROCEDURE

A. **Focus Discussion:** Read students the Second Amendment: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." Ask and briefly discuss what this amendment means.

B. **Reading and Discussion:** Ask students to read **The Gun Debate** on page 48. Hold a class discussion using the **Points of Inquiry** questions on page 53.

1. Do you think gun violence is a major problem in the United States? Why or why not?
2. Do you think gun control can reduce violent crime? Why or why not?
3. What do you think the Second Amendment means?

C. **Small-Group Activity: Supreme Court Role-Play**

Step 1. Write on the board: "It is illegal for any person other than a soldier or police officer to possess a handgun." Ask students to imagine that Congress has passed this law and that a court case challenging this law has reached the U.S. Supreme Court. Write on the board: "Does this law violate the Second Amendment to the U.S. Constitution?"

Step 2. Divide the class into groups of three. Assign students in each triad a role of Supreme Court justice, U.S. attorney supporting the law, and defense attorney opposing the law.

Step 3. Regroup so that all justices meet together, all U.S. attorneys meet, and all defense attorneys consult. Attorneys should prepare arguments on the constitutionality of the law and justices should prepare questions to ask attorneys.

Step 4. Redivide into triads and begin the role-play. Tell the defense to begin. Give each side two minutes to present. The justice can interrupt to ask questions. After both sides present, each justice should stand and prepare to present a decision on the case.

Step 5. When every justice is ready, go around the room and have each justice present his or her decision and reasons for it.

Step 6. Debrief the activity by asking: Which arguments were most powerful? Why?

EXTENSION

Have your students read "Seven Arguments For and Against Handgun Control," page 49. Write a handgun proposal, such as "All handguns shall be banned," on the board. Have students line up single-file in the room according to how they feel about this proposal.

absolutely opposed ← → absolutely favor

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

While they are still standing in line, have them discuss with their neighbors three reasons why they believe as they do. Next move the line as indicated by the diagram below:

A B C D E F G H I J K L M
N O P Q R S T U V W X Y Z

Each student now faces a partner, e.g. A-N. Have students exchange opinions. One partner starts speaking. When the first one finishes, the other partner must paraphrase what the speaker said. If the paraphrase is not right, then the speaker should explain again until the partner gets it right. Then the other partner may speak. The partners can go back and forth, but each time they must paraphrase what the other said. Debrief by asking for students to share the most powerful arguments they heard.

CIVIL CONVERSATION

As an additional activity, conduct a Civil Conversation using the reading on page 51 and the procedures outlined on page 20 of this guide.

LESSON 11. CURFEWS AND LOCAL GOVERNMENT

OVERVIEW

This lesson examines curfews, a policy of local government for dealing with youth crime and victimization. Students first read and discuss an article on curfews. Then given a proposed curfew, students role playing a city council decide whether to amend or pass the proposed curfew.

OBJECTIVES

Students will be able to:

1. Explain reasons for and against curfews.
2. Decide on whether to enact a hypothetical curfew.

PREPARATION

You will need one copy of **Handout H** and **Handout I** for each student.

PROCEDURE

A. **Focus Discussion:** Ask students, "How many of you believe curfews reduce violent crime?" Hold a brief discussion.

B. **Reading and Discussion:** Ask students to read **Curfews and Local Government** on page 53. Hold a class discussion using the **Points of Inquiry** questions on page 56.

   1. How do curfews protect young people? Do you think they are effective?
   2. What compelling governmental interest does a curfew serve? Do you think a curfew is the least restrictive means of achieving this interest?
   3. What do you think should happen to young people who violate curfews?

C. **Small-Group Activity: City Council**

   Step 1: Tell students that they are going to role play members of a city council deciding on a curfew for a city. Distribute **Handout H—City Council** to each student. Have students read it and answer any questions they have. Distribute **Handout I—City Council Instructions** to each student. This handout has the instructions for the role play. Review it carefully with students.

   Step 2: Divide the class into groups of five. Have each group assign the tasks of chairperson, recorder, and presenter.

   Step 3: Give students a time limit for the role play and allow them this time to discuss and conduct their votes.

Step 4: Ask: "How many groups did not pass a curfew?" Ask those groups who did not pass a curfew to explain their reasons. Then call on those groups that passed a curfew to give their reasons for passing the curfew and to explain any changes they made in the curfew law.

Step 5: Debrief by asking whether anyone changed their minds on curfews.

LESSON 12. SCHOOL VIOLENCE

OVERVIEW

This lesson examines school violence and policy proposals related to it. First, students read and discuss an article on school violence. Then in small groups, students simulate a school board deciding how much money to fund competing proposals for reducing school violence.

OBJECTIVES

Students will be able to:

1. Evaluate and decide on different policies addressing school violence.
2. Justify their decisions.

PREPARATION

You will need one copy of **Handout J** and **Handout K** for each student.

PROCEDURE

A. **Focus Discussion:** Ask students, "What sorts of violence problems do schools face?" Hold a brief discussion.

B. **Reading and Discussion:** Ask students to read **School Violence** on page 56. Hold a class discussion using the **Points of Inquiry** questions on page 59.

   1. What factors do you think might contribute to school disorder and violence?
   2. Why does school violence often occur more frequently in middle schools than in high schools?
   3. Imagine that you are a school principal who must discipline a first-time violent offender. What action would you take?
   4. What actions would you take as a school principal to ensure the safety of your students?

C. **Small-Group Activity: School Board Role Play**

Step 1: Divide the class into groups of five. Inform students that each of these groups is going to role play the school board in Middletown, a small city. Tell them that the superintendent of schools has an important message for the board.

Step 2: Read aloud to the class this message from the superintendent:

> Good afternoon, members of the Board of Education.
>
> I am pleased to report that we have received the school safety grant that you directed me to apply for. The Middletown School District will receive $200,000 in grant funds. It is our job to use this money to make Middletown School District safer for our students. I await your instructions on how the School District should spend this money.

Make sure students understand that the board is to determine how to spend $200,000 to improve safety in and near schools in Middletown.

Step 3: Tell students that six proposals have been submitted to the board. Distribute **Handout J—Proposed Programs** to each student. Review each of the proposals. Answer any questions students may have.

Step 4: Distribute **Handout K—Instructions for School Board**. This has instructions for the role play. Review it carefully with students. Make sure they understand that they can partially fund proposals if they want and that they cannot go over the $200,000 limit.

Step 5: Give students time for the role play. When groups are ready, have them report back their decisions. Record their decisions on the board.

Step 6: Debrief by asking: Which proposal seemed weakest? Strongest? Why?

Chapter 3: Taking Action Against Violence

LESSON 13. AVOIDING VIOLENCE

OVERVIEW

This lesson introduces students to methods for avoiding violence. First, students read and discuss an article on avoiding violence. Then in small groups, they create and present scenarios of potentially dangerous events and different responses to them.

OBJECTIVES

Students will be able to:

1. Review methods to avoid violence.
2. Describe methods for avoiding violence in terms of their own lives.

PROCEDURE

A. **Focus Activity:** Ask students to recall any news stories in which young people were victims of violence. Ask: What conditions led to violence in these incidents? Can you suggest any ways that violence might have been avoided?

B. **Reading and Discussion:** Ask students to read **Playing It Smart** on page 60. Conduct a class discussion using the **Points of Inquiry** questions on page 64.

   1. Compare preventive medicine to the avoidance of violence.
   2. Why do you think some people don't report domestic violence? What do you think could encourage more people to report it?
   3. What are some techniques for avoiding violence?
   4. Why are shopping malls potentially dangerous places?
   5. Have you ever been involved in an incident in which you successfully avoided violence? How were you able to do it?

C. **Small-Group Activity: Danger Scenes**

   Step 1. Divide the class into six groups. Assign each group one section of the reading: Street Smarts, Public Transportation, Home Security, Domestic Violence, Workplace, and Shopping.

   Step 2. Tell each group to create a brief Danger Scene, based on their section of the reading, in which young people face a potentially violent incident. Have them create three different responses to the Danger Scene. One response should lead to the avoidance of violence, while the others heighten the risk of violence.

   Step 3. Have each group present its Danger Scene and all three responses. Ask the class to choose which response will best lead to the avoidance of violence.

EXTENSION

Role plays are an important element in conflict resolution. Have students rehearse and dramatically represent their Danger Scenes and act out the consequences of their three responses. If the scenes are well done, perform them for their peers or for middle school students as a service project. You may extend the other lessons in this section similarly.

LESSON 14. THE CHAIN OF VIOLENCE

OVERVIEW

In this lesson, students explore causes and solutions to violent behavior. First, students read and discuss an article on alternatives to violence. Then they review "The Chain of Violence" to discuss how conflict can escalate into violence. Next, students identify flashpoints in hypotheticals. Finally, students role play characters in conflict scenarios to apply simple communication skills and evaluate the results of their communication.

OBJECTIVES

Students will be able to:

1. Identify causes of violent behavior.
2. Apply violence avoidance skills to hypotheticals.

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PREPARATION

Each group will need one of the scenarios from **Handout L**.

PROCEDURE

A. **Focus Discussion:** Ask students: "Do you think it's possible to eliminate violence?" Why or why not?" Hold a brief discussion.

B. **Reading and Discussion:** Have students read **Group Action: Creating Alternatives to Violence** on page 65. Lead a class discussion using the **Points of Inquiry** questions, page 68.

1. In your opinion, is violence an integral part of human nature?
2. How can a conflict lead to violence? What are some links in the chain of cause and effect?
3. Who do you think are better qualified to resolve youth conflicts: young people or adults?
4. Most violence prevention programs have not yet been evaluated. Do you think they are effective? Why or why not?
5. Imagine that you are the principal of a middle school. You are concerned with student violence. What kind of prevention program would you adopt? Why?

C. **Small-Group Activity: Recognizing Flashpoints**

Step 1. Tell students to review **The Chain of Violence** on page 65. Have them find the links in the chain of violence described in the reading and list them. (Answers should include: lack of information; misunderstanding; different goals, needs, values, or opinions; barriers of race, language, age, and gender; opposing points of view; verbal attacks; physical threats; flashpoints; and physical attacks.)

Step 2. Divide the class into five groups. Distribute one scenario from **Handout L—Recognizing Flashpoints** to each group. Have students in each group work together to find flashpoints and other elements from the chain of violence in each of these scenarios. Each group should record its findings on a separate sheet of paper.

Step 3. Debrief the activity by having each group report back its findings.

Step 4. Collect student copies of **Handout L**. Students will apply conflict resolution methods to these scenarios in the next lesson.

LESSON 15. INTRODUCING METHODS FOR CONFLICT RESOLUTION

OVERVIEW

In this lesson, students explore methods of conflict resolution. First, students are introduced to some basic conflict resolution methods. Next, students analyze hypotheticals to determine which methods work best to resolve specific conflicts.

OBJECTIVES

Students will be able to:

1. Identify conflict resolution methods.
2. Apply conflict resolution methods to hypotheticals.

PREPARATION

You will need one copy of **Handout M** and **Handout L** (from previous lesson) for each student.

PROCEDURE

A. **Focus Discussion:** Ask students: "What types of programs might reduce school violence?" Hold a brief discussion.

B. **Reading and Discussion:** Ask students to briefly review **Group Action: Creating Alternatives to Violence** on page 65. Answer any questions they may have about the conflict resolution programs described in the reading.

C. **Small-Group Activity: Applying Conflict Resolution Methods**

Step 1. Distribute a copy of **Handout M—Conflict Resolution Methods** to each student. Review the handout with the class and answer any questions.

Step 2. Divide the class into the same groups from the previous lesson. Redistribute **Handout L—Recognizing Flashpoints** to each group. Have students apply conflict resolution methods from **Handout M** to prevent the conflicts in each scenario from escalating into violence.

Step 3. Debrief by asking each group:

- Which conflict resolution did you choose to prevent violence in your scenario?
- What would happen if the characters applied conflict resolution methods to the scenario?

LESSON 16. CREATING CONFLICT SCENARIOS

OVERVIEW

In this lesson, students apply conflict resolution methods to incidents from their own experience. First, students work in groups to invent conflict scenarios that contain flashpoints and other elements from the chain of violence. Next, they exchange scenarios with other groups who identify elements from the chain of violence and apply conflict resolution methods to each scenario.

OBJECTIVES

Students will be able to:

1. Describe conflict and the elements that lead to violence in terms of their own experience.
2. Apply conflict resolution methods to a hypothetical.

PREPARATION

You will need one copy of **Handout N** and **Handout M** (from previous lesson) for each student.

PROCEDURE

A. **Focus Discussion:** Ask students: "What are some typical conflicts that can lead to violence?" Hold a brief discussion.

B. **Small-Group Activity: Creating Conflict Scenarios**

Step 1. Divide the class into groups of 3-5 students. Distribute one copy of **Handout N—Conflict Scenario Worksheet** to each group.

Step 2. Tell groups that they are going to work together to create scenarios that involve two or more individuals. Each scenario should describe a conflict and the steps it takes to escalate into violence. Explain that groups can use their own experience or their imaginations to create their scenarios.

Step 3. When students are finished, have each group exchange their scenarios with another group. Tell each group to:

- Identify elements from the chain of violence in the other group's scenario.
- Apply conflict resolution methods from **Handout M** to address the problems described in the other group's scenario.

Step 4. Debrief the activity by having each group list the elements they found in the other group's scenario and describe the methods they used to address the conflict.

LESSON 17. INTRODUCING PEER MEDIATION TECHNIQUES

OVERVIEW

In this lesson, students are introduced to the basic concepts of peer mediation. First, students review a reading on peer mediation. Next, students are introduced to simple peer mediation techniques and apply them by mediating conflict scenarios.

OBJECTIVES

Students will be able to:

1. Identify peer mediation skills.
2. Apply peer mediation skills to hypotheticals.

PREPARATION

You will need one copy of **Handout O** and **Handout L** (from Lesson 14) for each student. You may want to replace **Handout L** scenarios with well-written student conflict scenarios from Lesson 16.

PROCEDURE

A. **Focus Discussion:** Ask students to review **Peer Mediation** on page 66. Conduct a class discussion by asking: "Who do you think are better qualified to resolve youth conflicts: young people or adults?"

B. **Small-Group Activity: Freezing Conflicts**

Step 1. Distribute copies of **Handout O—Peer Mediation Worksheet** to each student. Briefly review Mediation Skills and answer any questions students may have.

Step 2. Redistribute **Handout L—Recognizing Flashpoints**. Divide the class into small groups and assign a conflict scenario from **Handout L** to each group. Assign roles to a narrator and the participants in each scenario. Assign two mediators to each scenario.

Step 3. Have the narrator and the participants practice their scenario. Mediators will "freeze" the scenario at the flashpoint and use skills and steps from their **Peer Mediation Worksheet** to intervene in the conflict and help parties resolve the conflict.

Step 4. Debrief by having each group read back their written agreements.

LESSON 18. CREATING ALTERNATIVES TO VIOLENCE

OVERVIEW

In this lesson sequence, students address a problem of violence with a civic participation project.

OBJECTIVES

Students will be able to:

1. Identify problems of violence in their school and community.
2. Determine the causes and effects of community problems.
3. Plan, implement, and evaluate a project to address a school or community problem.

PREPARATION

You may want to assign students to keep individual journals about the project. This will aid your individual evaluation of the students. You may also want to decide in advance: (1) How much class time can students spend on a project? (2) Will you limit the project to school or can students do a project that requires them to go off-site? (3) Will the whole class do one project or will separate groups do different projects? (4) Will you decide on a project in advance and guide the students to choose that project, or will you give the students several projects to choose from, or will you let the students design a project for themselves? **NOTE:** The more decisions students make themselves, the greater their buy-in to the project.

You will need one copy of **Handout P** for each student. This includes three pages: The Six Basic Parts of an Action Project; Project Planning; and Project Ideas. To provide students with more detailed help on a service project, you might consult the *Active Citizenship Today Field Guide* published by Constitutional Rights Foundation and Close Up Foundation.

PROCEDURE

A. **Reading and Discussion:** Ask students to read **Group Action: Making a Difference** on page 69. Conduct a class discussion using the **Points of Inquiry** questions on page 71.

1. Do you think group efforts at reducing violence are more effective than individual efforts? Why or why not?
2. What organizations in your community are concerned about young people and violence?

3. What kinds of organizations do you think are more effective at dealing with the problems of youth violence: small, local groups or large, national organizations? Why?

4. What kinds of advantages might come from a joint violence reduction effort by several community groups? What kinds of groups might work best together?

5. Young people have started many violence reduction programs. What are some advantages—and disadvantages—of these kinds of efforts?

B. Introduction: Elements of an Action Project

Explain to your class that they are going to do an action project to deal with the problem of violence in their school or community. Set the guidelines (time, place, manner) for their projects. Distribute copies of **Handout P—Action Packet** to the class and discuss the Six Basic Parts of an Action Project.

C. Narrowing Down the Problem

Explain to students that violence is too broad a problem to address. Ask students to brainstorm a list of violence-related problems that apply to their own school or community. Have students meet in small groups, select the three top problems and report back to the whole class. Get a class consensus on the problem that students want to work on.

D. Researching a Problem

Your students' research will depend on what problem they select and what they need to find out. In general, they should look for answers to four questions:

- What causes the problem?
- What are its effects on their school or community?
- What is being done about the problem?
- Who is working on the problem or interested in it?

Students should also be looking for ideas for action projects. A list of project ideas can be found on page 3 of **Handout P.** Students should report to the class what they discover.

E. Planning the Project. If small groups are doing different projects, have each group submit a completed project plan. If the whole class is doing the same project, you can plan the project as a whole group or you can assign a committee to submit a project plan for the whole class to review. The project plan should follow the steps in the Project Planning section of **Handout P.**

F. Implementing the Project. If the whole class is doing the project, tasks may be divided among committees with a project coordinating committee overseeing the entire project.

G. Evaluating the Project. Do a formal evaluation of the project's success. Have students also evaluate how well they planned, how well they worked as a team, and what they learned from the project.

CONDUCTING A CIVIL CONVERSATION IN THE CLASSROOM

OVERVIEW

Our pluralistic democracy is based on a set of common principles such as justice, equality, liberty. These general principles are often interpreted quite differently in specific situation by individuals. Controversial legal and policy issues, as they are discussed in the public arena, often lead to polarization, not understanding. This civil conversation activity offers an alternative. In this structured discussion method, under the guidance of a facilitator, participants are encouraged to engage intellectually with challenging materials, gain insight about their own point of view and strive for a shared understanding of issues.

OBJECTIVES

By participating in civil conversation, students:

1. Gain a deeper understanding of a controversial issue.
2. Identify common ground among differing views.
3. Develop speaking, listening, and analytical skills.

FORMAT OPTIONS

1. Conversations for classroom purposes should have a time limit generally ranging from 15 to 45 minutes and an additional five minutes to reflect on the effectiveness of the conversations. If all students have not participated, the reflection time is an opportunity to ask those who have not spoken to comment on the things they heard. Ask them who said something that gave them a new insight, that they agreed with, or disagreed with.

2. A large-group conversation requires that all students sit in a circle or, if the group is too large, pair the students so that there is an inner and outer circle with students able to move back and forth into the inner circle if they have something to add.

3. Small-group conversation can be structured either with a small group discussing in the middle of the class "fish bowl" style or simultaneously with different leaders in each group.

PREPARATION

You will need one copy of **Handout Q** and **Handout R** for each student.

PROCEDURE

A. **Introduction:** Briefly overview the purpose and rationale of the Civil Conversation activity. Distribute copies of **Handout Q—Rules for a Civil Conversation**. Review them with the class. Also tell students to keep their copies for future reference.

B. **Reading Guide:** Review, select, and refer students to one of the Civil Conversations in the text. Distribute copies of **Handout R—Civil Conversation Reading Guide** and, working in pairs, have students complete the reading by following the instructions and responding to the questions in the guide.

C. **Conducting the Activity**

Step 1. Select one of the formats and time frames from above and arrange the class accordingly.

Step 2. If selecting the large-group format, the teacher leads the discussion using the procedures from below. If using a small-group format, write the following procedures on the board and review them with the class. Then select co-conversation leaders for each group.

LEADERS' INSTRUCTIONS

- Begin the conversation, by asking every member of the group to respond to questions 3 and 4 of the **Reading Guide**. Members should not just repeat what others say.
- Then ask the entire group to respond question 5 and jot down the issues raised.
- Continue the conversation by discussing the questions raised.

Step 3. Debrief the activity by having the class reflect on the effectiveness of the conversation. Begin by asking students to return to the **Reading Guide** and answer questions 6 and 7. Then ask:

- What did you learn from the Civil Conversation?
- What common ground did you find with other members of the group?

Then ask students who were not active in the conversation to comment on the things they learned or observed. Conclude the debriefing by asking all participants to suggest ways in which the conversation could be improved. If appropriate, have students add the suggestions to their list of conversation rules.

COLORS COME TO CAVETT

Recently, the citizens of Cavett, a small city, have noticed a disturbing trend. Street gangs are now a part of the once-peaceful community. Arrest rates are up for drug-related crimes and assaults. There have been a number of drive-by shootings as rival gangs seek turf or revenge. A number of citizens have complained about being threatened.

Last week, a reporter for the *Cavett Courier* did a an in-depth series of stories on the Cavett gang problems. She interviewed a number of gang members and published photos of them showing off their colors and tatoos.

The series created quite a stir in the city. The city council decided to hold a public meeting on what Cavett should do about the growing gang problem before it got any worse.

You have been invited to the public meeting. To participate, follow these steps.

1. When your group is formed, select a discussion leader and a reporter.
2. Review the material in **The Gang Question** on page 11.
3. As a group, brainstorm ideas for reducing Cavett's gang problem.
4. Select the option that:
   - Is most likely to reduce the gang problem;
   - Will impact the most gang members at the smallest cost;
   - Offers a long-term solution.
5. Develop a brief description of your proposal complete with the reasons you selected it and help the reporter prepare a short presentation for the meeting.

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BROADCAST NEWS

Imagine that you are a news team with the assignment of putting together a special segment on Violence in America. It will be based on the information contained in the reading, **Violence Today.** To complete your assignment, follow these steps.

1. When your team is together, assign the following roles: two anchors, one writer, one producer, and one editor.
2. Select the topic for your broadcast (or your teacher will assign you one).
3. As a team, plan a three- to five-minute broadcast. Here are some tips:
   - Begin with the most interesting and exciting facts to capture the audience's attention. Make sure the audience knows what the story is about right up front.
   - Fill in the broadcast with facts that explain the major points in your story.
   - Conclude the story with an analysis about what it means to your audience or society or what needs to be done.
   - Be creative. You can use mock interviews, charts and visuals in your broadcast. Just make sure they do not get in the way of the content.
4. Complete role assignments. The writer and editor should work together to finish the script making sure it fits within the five-minute time limit. The anchors should practice the presentation. The producer should work on the visuals and pulling the broadcast together.
5. When called upon, present your broadcast to the class.

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KURT'S STORY

In the sixth grade, Kurt and I were best friends. He lived down the street in a red brick house with a pepper tree in front.

Kurt was a tall, blond, good-looking kid with piercing blue eyes, the kind that could look right through you. Everybody liked him, especially the girls. But he was my best friend.

We did everything together: baseball in the spring, football in the fall, hiking up in the hills. We were in the same class ever since kindergarten and even went to the same church. When we were younger we played soldier, cowboys and Indians, cops and robbers. Between us, with our toy pistols and rifles, we saved the Alamo, cleaned up Tombstone, and drove the Nazis out of France.

Of course, we got most of our ideas from television and the movies. They were also the source of most of our arguments. Who would win if Superman and Hercules got into a fight? Who was a better shot, Wyatt Earp or Wild Bill Hickock? We both had bad tempers so the argument usually got settled by wrestling around on the grass panting and grunting until one of us gave in or got pinned. Usually me.

But most of the time, we believed in the same things. If you are good, God will take you to heaven when you die. You never start a fight, but you finish it. The only thing a bully understands is a punch in the nose. These are things our fathers taught us.

But Kurt had it tougher than most of the kids we knew. It took him longer to learn things in school. He wasn't dumb; things just did not come easy for him. He would get frustrated and fall behind.

Then there was his dad. I never liked him and stayed away from Kurt's house when he was home. He was always yelling at Kurt and his sister Janie, especially when he was drinking beer. Or he would take his belt to them. Those two got more strappings than all of the rest of the kids in the neighborhood combined.

That summer, between the elementary school and junior high, everything changed for Kurt and me. His dad lost his job and was around the house all of the time. Kurt told me that his mom and dad fought constantly and his dad got even meaner. Then one night a police car showed up in front of their house. It was the talk of the neighborhood, but no one know exactly what it was all about. "It's none of our business," my mom said. We never saw Kurt's dad again.

In August, Kurt and his mom and sister moved to an apartment a few miles away. Kurt's mom and dad were getting a divorce and she had to get a job. I guess they couldn't afford to stay in the house anymore. Once near the beginning of school, I rode my bike over to see them, but Kurt seemed kind of uncomfortable with me being there. I hung around for a while and then left.

After school started, I didn't see too much of Kurt. He took a different bus and different classes. He also started hanging out with a bunch of guys who were always getting in trouble for fighting and cutting class. They made me nervous, so after a while we just lost touch. Then, near the end of the school year, Kurt got kicked out for slashing a tire on the vice principal's car in the parking lot. They transferred him to another junior high.

I only saw Kurt twice after that. Once, about a year later, two friends and I were out hiking in the hills. Off a washed-out dirt road, we found an old, abandoned farm house and started to look around. Suddenly a group of five or six guys showed up and started hassling us. You know,

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KURT'S STORY

shoving us around and calling us punks. We tried to leave, but they were looking for a fight, especially this one big guy they called "Wimby." He grabbed my friend Bill's canteen and wouldn't give it back. Just then out of the corner of my eye I noticed Kurt. He was standing off to the side with another guy. I looked at him and he looked back, but he acted like he didn't know me. Instead, he told Wimby to knock it off and give us back our stuff. Wimby looked around and started to say something, but then thought better of it. He shoved the canteen at Bill and said, "Hit the road, punk." We did. When we got a safe distance away, I looked back over my shoulder, but Kurt was nowhere to be seen. The others were busy beating on the side of the house with sticks and throwing rocks through what was left of the windows.

The other time I was in high school, but Kurt had already dropped out. My friend Kent had just gotten a 10-year-old VW Bug, and we were at the drive-in so that he could impress a waitress. He had been after her for about three months, but she wasn't on duty that night. As we were leaving, we noticed a commotion in the back parking lot.

Two cars squealed rubber, headlights flashed, and car doors swung open. Soon two groups of guys stood facing and cursing one another on the asphalt pavement. Bathed in the orange glow of the drive-in's neon sign, I saw Kurt, his blue eyes narrowed and focused, an open bottle of beer in his hand. I told Kent to pull over, but he just stopped and idled the car. Just then we saw Kurt reach into his pocket and pull out a set of car keys. He turned on his heels and went to the trunk of the car. Somebody yelled, "Chicken," but Kurt just smiled. Opening the trunk, he pulled out two baseball bats and tossed one to his friend. Kent had had enough. He popped it into first and floored the accelerator. I never saw Kurt again.

I completed high school, went on to community college and finally the State University. My world changed. You didn't need to fight to prove yourself. In fact, fighting just wasn't cool anymore.

Every once in a while I'd get word about Kurt and it often wasn't good. Kurt got busted for drugs, he got fired from an auto parts store for stealing, he did time for assault with a deadly weapon. People who saw him said when he got back he settled down a bit and got a job. He was married for a while, but it didn't work out.

Then once, when I was home on a break, I heard the news. Kurt was dead. He and his new girlfriend were at a bar when a couple of guys started hassling her. Kurt punched one of them and the owner threw the guys out. Later when Kurt and his girlfriend were walking to their car, someone emptied a revolver at him. He died on the way to the hospital.

Kurt's been dead for nearly 30 years now, but I still think about him. The other night, I was in the same drive-in we used to go as teen-agers, but the carhops are gone. Now it is just a restaurant. I was sitting in a booth next to a family. Two little boys, about the same age as Kurt and me when we first met, were horsing around poking and pushing one another. They were arguing about something. One of them turned to his father and tugged on his sleeve.: "Daddy," he asked, "who would win a fight between the Morphin Power Rangers and the Ninja Turtles?"

I didn't hear his father's answer, but one came to my own mind. Nobody wins, I thought, what matters is how we start out, how we end up, and the choices we make in between. I think Kurt might have agreed with me.

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Handout D

WHOSE JOB IS IT?

List agencies that deal with violent crime in each level and branch of government. Briefly, in a sentence or two, tell what each agency does.

FEDERAL GOVERNMENT		
Executive Branch	**Legislative Branch**	**Judicial Branch**
STATE GOVERNMENT		
Executive Branch	**Legislative Branch**	**Judicial Branch**
COUNTY GOVERNMENT		
Executive Branch	**Legislative Branch**	**Judicial Branch**
CITY OR TOWN GOVERNMENT		
Executive Branch	**Legislative Branch**	**Judicial Branch**

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CITY ATTORNEY

Imagine you are deputy city attorney for mid-sized city. Concerned about a recent upsurge in violent crime, the city council is considering a series of ordinances to help reduce the problem. The city attorney has assigned you and your partner the job of reviewing the proposed ordinances. He wants you to decide what constitutional issues might be raised if the ordinance is passed. To complete your assignment, follow these steps:

1. With your partner, review **Protecting Individual Freedoms** beginning on page 32 of the text and **The Constitution** on page 35.
2. Read the description of each proposed ordinance below. Fill in the blank with the part of the Constitution or Bill of Rights which might be raised to challenge its constitutionality. Be sure to give your reasons and be prepared to discuss you answers in class.

Ordinance A—The Aggressive Panhandling Law: In recent months there have been a series of violent assaults when panhandlers confronted citizens for money and were refused. The ordinance would make it illegal for anybody to approach a person on the street and ask for money.

_____

_____

Ordinance B—Ban on the Sale or Possession of Ammunition: The city has suffered a number of high-profile armed robberies and shootings. The ordinance would make the selling or possession of all types of ammunition within city limits illegal.

_____

_____

Ordinance C—Violent Movie Ban: Many parents have complained that local movie theaters show violent films. In a recent incident, two young boys were injured when acting out an action hero stunt they had seen in a movie. The ordinance would require all movies to be previewed by a committee appointed by the council. Only those approved could be shown within city limits.

_____

_____

Ordinance D—Public Property Searches: In recent months, police have seized a large array of weapons from people including knives and guns. Many belonged to gang members. The ordinance would make people using public property—parks, libraries, city hall and streets—subject to a search for weapons at all times. Signs would be posted warning citizens that as a condition of using the public places in the city citizens must consent to a weapons search if asked to do so by a police officer.

_____

_____

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LEGISLATIVE ADVISER

Imagine you are legislative adviser to Lynn Wagner, a state legislator. Wagner wants your advice. The legislature is going to vote tomorrow on a "three strikes" bill. This bill will punish anyone convicted of a third felony with life imprisonment without possibility of parole. This proposal is very popular with voters and Wagner will definitely vote for it. But Wagner wants to know whether to support two amendments to the three-strikes bill. Read these amendments below, indicate your opinion, and give your reasons for favoring or opposing it.

AMENDMENT #1: To make sure only dangerous persons are sentenced under three strikes, only violent felonies shall count as strikes. Violent felonies include such crimes as murder, manslaughter, rape, robbery, and other crimes in which violence or the threat of violence is used. It does not include non-violent felonies, such as theft and fraud.

FAVOR _____ OPPOSE _____

Reasons: _____

_____

_____

_____

_____

AMENDMENT #2: To make sure our prisons only house dangerous felons, any prisoner sentenced under three strikes who reaches age 65 shall be eligible for parole. The state parole board shall only release prisoners who pose no danger to the community.

FAVOR _____ OPPOSE _____

Reasons: _____

_____

_____

_____

_____

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PRESIDENTIAL COMMISSION

You are members of a blue-ribbon commission, which the president has appointed to study and make policy recommendations on America's violent crime problem. The president wants policies that will work in our battle against violent crime.

Instructions: As a group, do the following:

1. Assign the following jobs: a recorder who writes down the group's decisions; a presenter who presents decisions to the class; and a leader who facilitates group discussion.
2. Review **Getting Tough on Crime**, pages 36–40, and **Controlling Crime Through Prevention**, pages 41–47.
3. Discuss the "getting tough" and prevention approaches and their various policies. Then decide on a specific policy that you think will have the greatest impact on violent crime.
4. In the space below, write down your policy and the reasons you favor this policy.

Your policy recommendation on violent crime (be sure to include your reasons):

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CITY COUNCIL

You are a member of the Filbin city council. In the past few years, the small city of Filbin has experienced a tremendous increase in juvenile violent crimes and victimizations. Last Friday night around 1 a.m., a 15-year-old girl was brutally raped walking home from a late movie. Her attackers, two 16-year-old gang members, have been arrested. But the community is calling on the city council to take action to make Filbin a safer city. The council has been considering enacting a curfew for juveniles. At today's meeting, council members will have a chance to amend and vote on the proposed curfew.

Opinion on the proposed curfew varies. The police chief favors it. Opponents say that Filbin's small police force will not be able to enforce the curfew. But the chief replies that his officers can enforce the curfew if parents will cooperate.

The opposition comes from many young people who feel the proposed curfew punishes them for doing nothing wrong and from some store owners who say they will lose business. Many businesses, however, support the measure. Many parents also support a curfew.

PROPOSED CURFEW ORDINANCE

People younger than 18 years of age may not be at any public place (assembly, building, street, etc.) during curfew.

The following exceptions are made for young people who are:

(1) accompanied by a parent, legal guardian, or other responsible adult approved by the parent.

(2) legally employed during curfew hours.

Curfew hours are between 12:01 a.m. and 6 a.m. on Saturdays, Sundays, and legal holidays and between 10 p.m. and 6 a.m. on other days of the week.

Anyone violating this curfew is guilty of a misdemeanor and may be fined up to $500.

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CITY COUNCIL INSTRUCTIONS

You are members of Filbin's city council. You will be voting on a juvenile curfew for Filbin. Follow these instructions:

1. Select a chairperson (to lead discussions and conduct votes), a recorder (to write down all votes, amendments, and the final measure voted on), and a presenter (to present your results to the class.

2. Read and discuss the Proposed Curfew Ordinance.

3. Vote on each of the following amendments to the proposed ordinance. Allow time to discuss each amendment:

   Amendment #1: Change the age from 18 to 16.

   Amendment #2: Add an exception for juveniles who are married.

   Amendment #3: Change the hour on weekdays to 11 p.m.

4. If any members want to propose changes in the ordinance, vote on these amendments. (You might want to consider adding some exceptions that Dallas included in its curfew. See page 54.)

5. Once all the amendments have been voted on, read the final measure out loud, discuss it, and vote on it.

6. Be prepared to present your ordinance and the results of your vote to the class.

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PROPOSED PROGRAMS

1. **Special program for disruptive students.** This program provides a special classroom at each school for students who are disruptive or who have been involved in violent behavior. A teacher and counselor will be specially trained to work closely with these students to improve their attitude, behavior, and study skills. Special attention will be paid to students with learning problems. If necessary, counseling services may be extended to families of these students. **Cost: $120,000**

2. **School uniform program.** All elementary and middle school students will be required to wear school uniforms unless parents opt out of the program. Each school will select its own uniform. The program will provide assistance to families who cannot afford to buy uniforms. **Cost: $20,000**

3. **Increased security equipment and personnel.** This plan provides metal detectors and hallway surveillance cameras on each middle and high school campus. One new security guard will be hired at each school to help staff the equipment. **Cost: $160,000**

4. **Conflict resolution program.** High school and middle school teachers will be trained in conflict resolution skills, which they will teach in various classes. Each middle and high school will develop a peer mediation program, in which students learn how to settle disputes among students. These peer mediators will also travel to elementary schools and train students in conflict resolution. **Cost $67,000**

5. **School security patrol.** This plan will pay for five full-time security officers to patrol the streets around schools in Middletown. These officers will patrol weekdays from 7 a.m. to 4 p.m. They will protect students traveling to and from school. These officers will also assist Middletown school security officers with problems on the school grounds and keep in radio contact with the Middletown Police Department. **Cost: $140,000**

6. **Parent Training**. This plan will pay for special night classes for parents. The classes will teach effective discipline techniques, how to deal with problem behaviors, and how to help students with school work. There will be classes for parents of students of all ages–from elementary school to high school. **Cost: $25,000**

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INSTRUCTIONS FOR SCHOOL BOARD

Read the Proposed Programs carefully. Then, to help you make your decisions, do the following as a group:

1. Rank the programs according to which will be the most effective in reducing violence at the school (best = 1; worst = 6).
2. Rank them again according to which will be the most cost effective. In other words, which will get the most results for each dollar spent?
3. Decide which programs you want funded and how much you will award each. Remember, you cannot exceed $200,000.

Program	Rankings		Request	Award
	Effective	Cost Effective		
Disruptive Students			$120,000	
School Uniform			$ 20,000	
Security Equipment			$160,000	
Conflict Resolution			$ 67,000	
Security Patrol			$140,000	
Parent Training			$ 25,000	
TOTAL			**$532,000**	**$200,000**

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RECOGNIZING FLASHPOINTS

SCENARIO 1—HOME

"Open the door, you little rat!" Yolanda was furious. Her younger brother, Tomas, had locked himself in the bathroom. He knew that Yolanda needed to get ready. "You're just jealous," Yolanda shouted through the door, "because you can't go to the game."

"You're always hogging the bathroom. It's my turn!" shouted Tomas. Yolanda was getting desperate. "Okay, punk. That's it. If you don't open that door, your dumb Gameboy is gonna end up on the sidewalk three stories down!"

"Yeah, sure," replied Tomas lazily. Yolanda put her ear to the door. Inside the bathroom, nothing was stirring.

"Here goes," called Yolanda. She opened Tomas' bedroom window. "If you don't come out, you can kiss your stupid Gameboy goodb–." Before Yolanda could finish, Tomas was on her back. The Gameboy flew out the window and smashed on the pavement below. Brother and sister rolled on the floor, pulling hair and pummeling each other.

SCENARIO 2—SCHOOL

Darnell had moved to new neighborhood and didn't know a soul at Coolidge High. On his first day of school, Darnell was walking out of the cafeteria after lunch. A group of guys were having a mini food fight and hit Darnell on the back of the head with a peanut when he walked by. Darnell turned around and said good-nat··edly, "Okay...So who threw that?"

"I did," said one of the guys at the table. "What's t oblem?"

All eyes were on Darnell. He tried to be cool. "Just don't be throwing things at me," he said.

The guy stood up. "What are you going to do about it?" A group of kids gathered around Darnell and the Peanut Thrower.

"Keep it up," said Darnell. "You're gonna regret it."

"Oh yeah?" asked the Peanut Thrower. "How am I gonna regret it?" He pushed Darnell backwards. Laughter rippled through the onlookers.

Darnell pushed the Peanut Thrower back. Egged on by the crowd, Darnell and his assailant began to swap punches.

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RECOGNIZING FLASHPOINTS

SCENARIO 3—THE STREET

Mickey had just gotten his driver's license. It had been a big deal for his mother to let him use the car.

As Mickey crossed the intersection at Spring and Main, a horn blared. Before he could swerve, there was a bone-jarring slam. Hard shaking, Mickey shut off the engine, opened the door, and stepped out.

An older guy in a leather jacket was staring at the smashed front end of a small, red sports car. "Look what you did to my car!" he screamed.

"Look what I did? You turned right in front of me," said Mickey.

"I ought punch some sense into you!" muttered the other driver. "You're supposed to stop for a red light, you idiot!"

Infuriated, Mickey stepped up to the other driver, "My light was green! Your car is halfway into my lane. You didn't even look!"

"You're full of it," shouted the other driver. He squinted at Mickey. "No wonder!" he said. "You're just a kid! Do you even have a driver's license?" Without thinking, Mickey took a punch at him. The next thing he knew, he was rolling on the ground, fighting with the other driver.

SCENARIO 4—PUBLIC TRANSPORTATION

Erica got on the bus at Market Street, shook the rainwater off her scarf, and looked for a seat. She had been on her feet all afternoon, copying, collating, and delivering reports.

Every seat was taken. Suddenly, she heard someone mutter, "Get out of my way." Erica looked down. A skinny boy with stringy, wet hair was glaring up at her. "I can't see. You're blocking my way," hissed the boy.

She looked around her. Outside, rain blurred the bus windows. Inside, people were jammed together. "What's there to look at anyway?" she asked.

"I don't like it when people press up against me," the wet-haired boy complained. "I can't see!" The boy's voice was getting higher as he spoke.

"Well, too bad!" Erica snapped back. "What are you? Some kind of a nut job? Why don't you take a pill or something? Relax." Erica heard a low growl. Several other passengers looked around startled and suddenly, Erica felt a sharp, burning sensation in her side. The boy had risen halfway out of his seat and held something shiny in his hand. Erica screamed in pain and terror and grabbed her ribs. Her hand came away bloody.

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RECOGNIZING FLASHPOINTS

SCENARIO 5—STORE

To avoid the crowded lunchroom at Montuna High, some students headed for the fast food restaurants and convenience stores in the mall. Today, Malcolm had spent most of his lunch hour goofing around with his friends. Now he was hungry and in a hurry.

Malcolm ran into the Kim's store. A bunch of Malcolm's classmates were lined up at Mrs. Kim's cash register. As usual, she wore a frenzied look on her face. A lot of kids liked to hassle Mrs. Kim. She didn't speak much English and she took everybody too seriously.

Malcolm quickly cruised the aisles, grabbing a sandwich and a bag of chips. Then, with his hands full, Malcolm remembered that he had promised to get lunch for his friend Letitia. He stuffed his purchases in his backpack and went back to pick up another sandwich.

When Malcolm got to the front of the store, all the other kids had left. Malcolm put his backpack down on the counter next to Letitia's sandwich and reached into his pocket for some money. Mrs. Kim rang up the sandwich. Then she lifted up Malcolm's backpack. "What's this!" she cried. Malcolm's sandwich and chips tumbled onto the counter, along with a jumble of Malcolm's school books and notepapers.

"I was going to pay you," Malcolm explained. "My hands were full and I..."

"You a thief?!" Mrs. Kim interrupted. "You steal from me?!" She threw Malcolm's backpack on the floor.

"Hey!" shouted Malcolm. He bent over to pick up his possessions. "You crazy old lady! I wasn't trying to steal anything!" When Malcolm straightened up, Mrs. Kim hit him on the shoulder with a broom handle. Malcolm grabbed the stick before she could hit him again. Blindly, without thinking, Malcolm struck Mrs. Kim with the broom handle. "Help!" cried Mrs. Kim. "Help me! Help me!"

The last thing Malcolm felt was a surge of adrenalin as Mrs. Kim pointed a gun at his heart.

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CONFLICT RESOLUTION METHODS

Conflict is a normal part of life. Below are some methods you can use to prevent flashpoints and other negative elements from growing out of conflict.

Method #1: Stay calm. Anger makes conflict dangerous. To stay calm, you can...

- Stop. Take a deep breath and count to 10.
- Recognize when you are angry. Don't let anger interfere with your goal to manage conflict.
- Ask for a "time out" to collect your thoughts and deal with your anger. You can always resolve the conflict at a later, agreed-upon time.

Method #2: Watch your language. Name calling, threats, and interruptions often create flashpoints and can lead to violence.

- Avoid name calling. Verbal attacks and threats make people defend themselves instead of dealing with the problem.
- Avoid "you" statements that accuse others of doing something wrong. "You" statements do not describe a conflict, they merely blame the other person.
- Focus on the cause of the problem. Remember your goal—to avoid flashpoints and resolve the conflict.

Method #3: Listen carefully. Not listening means you don't care how the other person feels. Being ignored makes most people angry.

- Focus on **what** is being said, not **how** it is being said. This will help you understand what the other person is trying to say.
- Restate the other person's position. By using your own words, you make sure you understand what the other person is saying.
- Ask questions for clarification.
- Acknowledge the other person's feelings by saying, "It sounds like you feel _____."

Method #4: State your position clearly. Use an "I" statement. An "I" statement has three parts.

- Part 1 of an "I" statement describes **what** the other person is doing. "You play loud music while I'm trying to work."
- Part 2 identifies **how** that behavior affects you. "It really makes me angry."
- Part 3 tells people **why** you feel the way you do. "Because I can't concentrate on my work when the music is turned up." Parts 1, 2, and 3 can be spoken together: "When you play loud music, it makes me angry because I can't concentrate on my work."

Method #5: Focus on solving the problem. Two heads are better than one. Use "we" statements. These statements address conflict by bringing people together as joint problem solvers.

- Ask how "we" can solve a problem or what "our" common goals are. This helps people shift the focus of the discussion from conflict to solution.
- Identify ways in which a problem affects both parties.
- Ask for help. Find a good listener who won't take sides.

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CONFLICT SCENARIO WORKSHEET

Work together to write a conflict scenario that includes as many elements as possible from the chain of violence. These elements include:

- misunderstanding
- different needs, desires, or ambitions
- barriers of race, language, age, or gender
- different points of view
- verbal attacks
- physical threats
- a flashpoint
- physical attacks (violence)

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PEER MEDIATION WORKSHEET

Mediation Skills When mediators work with people in conflict (participants) they must apply the following skills:

Building trust. The success of mediation depends on trust. In order to build trust, mediators must be able to:

- Remain neutral.
- Keep a secret.
- Listen carefully.
- Show respect for both sides.
- Be optimistic.

Gathering and exchanging information. Conflict often begins with a lack of information. A mediator acts as a communications link between both sides by gathering and exchanging the following information:

- How do participants know each other?
- What happened?
- Why did it happen?
- What does each side need to resolve the conflict?
- Proof that both sides are looking for a solution.

Problem-solving. For an agreement to work, participants must find their own solution to conflicts. Although mediators cannot force a solution on either side, they must be able to:

- Encourage compromise between participants.
- Brainstorm options.
- Challenge unfair or unrealistic solutions.

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PEER MEDIATION WORKSHEET

STEP 1: INTRODUCTION

Skills: Building Trust

Mediators must:

- Not take sides or force a solution.
- Help both sides find solutions.
- Not talk to anyone about what is said in mediation.

Participants must:

- Treat each other with respect.
- Listen and do not interrupt each other.
- Try to work it out.

STEP 2: FIRST MEETING (BOTH SIDES)

Skills: Gathering Information

Mediators must ask:

- How do the participants know each other?
- What happened?
- How does each participant think the conflict can be resolved?
- Repeat each participant's position.

STEP 3: SECOND MEETING (ONE SIDE AT A TIME)

Skills: Gathering Information

Explain that everything said in this session is confidential.

Mediators must ask:

- How does each side feel about the conflict?
- How would they solve the problem?
- What compromises they are willing to make.
- Repeat each participant's position.

STEP 4: CONCLUSION (BOTH SIDES)

Skills: Exchanging Information; Problem-Solving

Mediators must:

- Review the positive outcomes of the second meeting.
- Repeat suggested solutions and compromises made by each side.
- Challenge unfair or unrealistic solutions.

Participants must:

- Brainstorm options.
- Write an agreement. Use positive statements, keep it short and simple.

SAMPLE AGREEMENT

To settle our argument, we, the undersigned, agree to the following:

(1) To remain good friends, the way we were before this incident happened.

(2) Sam agrees to give Dave back his skateboard.

(3) Dave agrees to pay for half of a new shirt for Sam.

(4) Sam and Dave will explain that Sam borrowed the skateboard from Dave.

Signed *Dave* Signed *Sam*

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ACTION PACKET
The Six Basic Parts of an Action Project

Here are the six basic parts of an action project.

PART 1: SELECT A PROBLEM

Get your group together and discuss how the problem of violence concerns you. Make a list and choose one problem to focus on. To help you decide, ask the following questions: Which problem affects your school or community the most? Which would be most interesting to work on? Which could be worked on most easily? Which would you learn the most from?

PART 2: RESEARCH THE PROBLEM

The more you know about a problem, the more you'll understand how to approach it. Try to find out as much as you can about these questions: What causes the problem? What are its effects on the community? What is being done about the problem? Who is working on the problem or is interested in it? To find answers to these questions, try the following:

Use the library. Look up newspaper and magazine articles. Ask the reference librarian for help.

Survey community members. Ask questions of people you know. Conduct a formal written survey of community members.

Interview experts. Call local government officials. Find people at non-profit organizations that work on the problem.

PART 3: DECIDE ON AN ACTION PROJECT

Think of project ideas that would address the problem your team has chosen. Make a list. As a team, decide on the top *three* project ideas. Think about the pros and cons of each project idea. Evaluate each in terms of your available time, materials, and resources. Select the most suitable one.

PART 4: PLAN THE PROJECT

To prevent false starts or chaotic results, you need a plan. See Project Planning on page 2 of **Handout P** for details.

PART 5: DO THE PROJECT

PART 6: EVALUATE THE PROJECT

While implementing the project, it's important to evaluate—to think about how you are doing and figuring out how you can do things better. At the end of the project, you'll want to evaluate how you did. To make evaluating easy, you'll need to plan for it.

In addition to evaluating the project's results, be sure to examine how well your group worked together and what you learned as an individual.

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ACTION PACKET
Project Planning

On paper, create a project plan that includes these nine steps:

Step 1. Invent a catchy name for your project. Use it on anything you create for the project–fliers, posters, letterhead, etc.

Step 2. Write down the names of your team members. Consider the strengths and talents of each team member so you can make the best use of everyone on the project.

Step 3. Describe your problem with a single sentence. Describing your problem clearly and simply can help you plan your project. Then record what you already know about the problem by answering these questions: (1) What causes the problem? (2) What are its effects on the community? (3) What do people affected by the problem want done?

Step 4. Describe your goals. Be practical–Can you achieve your goals? Keep your goal statement clear and simple, like your problem statement. Goals help chart your course.

Step 5. Describe your project in two or three sentences. Look at your problem statement and goals. How will your project deal with the problem and address its goals?

Step 6. Make a list of groups or individuals in your community who might help you with your project. Government, non-profit, and business organizations may already be working on the problem or they may be interested in it.

Step 7. How will you achieve your goals? Write down the of steps of your plan. Explain how the project will work.

Step 8. Once you have decided on the steps to your plan, break the steps down into tasks. Think of everything that needs to be done. Then assign people jobs that they want to do and *can* do. Put someone in charge of reminding people to do their tasks. Set a deadline for each task.

Step 9. How will you measure the success of the project? Here are three ways to evaluate a project. Pick the best ways and figure out how to do them for your project. (1) **Before-and-After Comparisons.** You can show how things looked or how people felt before your project, then show how your project caused changed. You might use the following to make comparisons: photos, videos, survey results, or test scores. (2) **Counting and Measuring.** You can count or measure many different things in a project. For example: How many meetings did you have? How many people attended? How many voters did you register? How much time did you spend? Numbers like these will help you measure your impact on the community. (3) **Comparisons With a Control Group.** You may be able to measure your project against a control group–a comparable group that your project does not reach. If, for example, you are trying to rid one part of town of graffiti, you could compare your results to another part of town with the same problem.

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ACTION PACKET
Project Ideas

A community needs to find ways to solve problems of violence. Working together, students, teachers, and concerned citizens can develop projects to help the community. Here are a few project ideas to get you started, but keep in mind that often the most effective projects are those you create yourself.

1. Organize a community forum about violence. Invite experts with different viewpoints to take part in classroom discussions or public debates.
2. Organize a counseling project at a local teen center or other non-profit organization to discuss the causes, effects, and alternatives to violence.
3. Start a conflict-resolution program to train students as conflict managers to help others resolve conflicts non-violently. Use student expertise.
4. Create a school-wide understanding program to encourage better relations among groups.
5. Survey student attitudes toward violence.
6. Hold a speech contest on alternatives to violence. Have three winners speak at other schools or at community events.
7. Organize a community heroes day for police, fire department and other community rescue workers. Invite rescue workers to speak in classrooms.
8. Approach local radio stations to create a talk-radio program for young people to discuss their responses to violence with trained counselors.
9. Start a column on alternatives to violence in your school or local newspaper.
10. Organize a student grand jury to review an incident of violence and its effect on the community.
11. Create a drama about violence and healing.

You're not alone. Look around. You will probably find other individuals and groups in the community who want to prevent violence. Talk to:

Parents	Youth Groups	Police
Local Officials	Public Health Groups	Religious Groups
Victims' Organizations	Business Organizations	Civic Organizations
Non-Profit Groups		

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RULES FOR CIVIL CONVERSATIONS

1. Read the text as if it were written by someone you really respected.
2. Everyone in the conversation group should participate in the conversation.
3. Listen carefully to what others are saying.
4. Ask clarifying questions if you do not understand a point raised.
5. Be respectful of what others are saying.
6. Refer to the text to support your ideas.
7. Focus on ideas, not personalities.

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Handout R

CIVIL CONVERSATION READING GUIDE

Reading _____

Read through the entire selection without stopping to think about any particular section. Pay attention to your first impression as to what the reading is about. Look for the main points, and then go back and re-read it. Briefly answer the following questions.

1. This selection is about _____

2. The main points are:

   a) _____

   b) _____

   c) _____

3. In the reading, I agree with _____

   _____

   _____

4. I disagree with _____

   _____

   _____

5. What are two questions about this reading that you think need to be discussed? (The best questions for discussion are ones that have no simple answer, ones that can use materials in the text as evidence.)

   _____

   _____

The next two questions should be answered after you hold your civil conversation.

6. What did you learn from the civil conversation? _____

   _____

7. What common ground did you find with other members of the group? _____

   _____ _____

   _____ _____

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For Further Information

Much information in this book comes from the U.S. Department of Justice, which disseminates material through its Office of Justice Programs (Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, Bureau of Justice Assistance, Office for Victims of Crime). You can access most of this information through the Justice Information Centers' web site (URL: http://www.ncjrs.org/homepage.htm).

Another excellent source for teachers is Constitutional Rights Foundation's *Criminal Justice in America*, an almost 300-page text and teachers' guide on all aspects of the criminal justice system. Each reading has discussion questions and an interactive activity.

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